

LOCAL PREFERENCE AND FAIR HOUSING FORUM

Thursday March 25th 6PM

Sponsored by the Brewster Housing Partnership

With the Select Board, Community Preservation Committee & Affordable Housing Trust Fund

Special thanks to Mass Housing Partnership

WELCOME & INTRODUCTIONS

Shelly Goehring, Senior Program Manager, Mass Housing Partnership

Katharine Lacy, Senior Planner, Mass Housing Partnership

Donna Kalinick, Brewster Assistant Town Administrator

Jill Scalise, Brewster Housing Coordinator

Agenda of Presentation

- Introduction to the forum: Why are we here? Donna Kalinick & Jill Scalise
- Zoning: Obstacles and opportunities for fair housing- Katharine Lacy
- Affirmatively furthering fair housing- Shelly Goehring
- Local Preference: A general definition and how it is implemented in MA- Katharine Lacy
- Brewster Housing- Donna Kalinick & Jill Scalise
 - Recent Brewster Housing activities and fair housing
- Questions & Discussion

WHY ARE WE HERE?

An invitation from the Housing Partnership

Brewster Housing Partnership

Housing Partnership Charge:

The Brewster Housing Partnership was established to provide a local entity interested in and advocating for local affordable housing initiatives in accordance with the guidelines and framework of the Department of Housing and Community Development (DHCD) and the Massachusetts Housing Partnership. The partnership continues to provide input and coordination whenever a private comprehensive permit application comes before the Town and frequently comments on other projects, programs, and policies, including Community Preservation expenditures which could affect the Town's Subsidized Housing Inventory. The committee consists of seven members appointed to three-year terms.

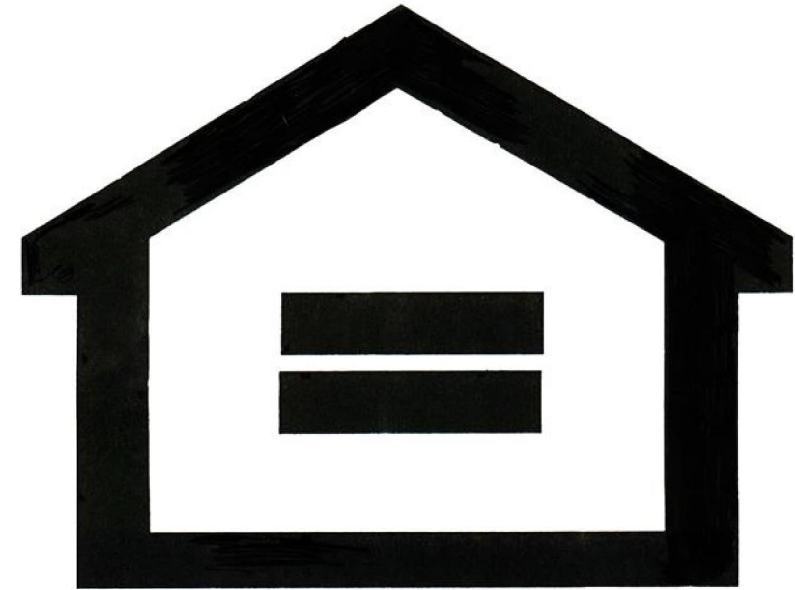
In the context of reviewing potential housing applications, questions emerged:

- What is local preference?
- How does local preference relate to fair housing?

What is Fair Housing?

In Massachusetts, it is unlawful for a housing provider to discriminate against a current or prospective tenant based on:

Race, Color, National Origin, Religion, Sex, Familial Status (i.e. children), Disability, Source of Income (e.g. a Section 8 voucher), Sexual Orientation, Gender Identity, Age, Marital Status, Veteran or Active Military Status, Genetic Information.



**EQUAL HOUSING
OPPORTUNITY**

Brewster Housing Production Plan

Strategy #13

Develop a comprehensive education plan.

Strategy #16

Recognize local government's responsibility for fair & affordable housing in Brewster, and lead by example: reduce the potential for disparate impact on protected classes.

Brewster Vision Plan:

“Brewster is a welcoming and inclusive community that celebrates its diversity and special character.”

Select Board & Town Administrator's Pledge to Enhance Diversity, Equity & Inclusion for All



Town of Brewster
2198 Main Street
Brewster, MA 02631-1898
Phone: (508) 896-3701
brewster-ma.gov

Office of the
Select Board
and the
Town Administrator

Approved and Adopted: February 1, 2021

BREWSTER SELECT BOARD AND TOWN ADMINISTRATOR'S PLEDGE TO ENHANCE DIVERSITY, EQUITY AND INCLUSION FOR ALL

As elected leaders we believe:

- We have a responsibility to understand and address inequality in all forms.
- A workplace that attracts and retains diverse personnel allows us to serve our residents more productively and creatively.
- We have a duty to residents, employees, visitors, and businesses to ensure that everyone is treated with respect and dignity.

We pledge to:

- Educate ourselves, town employees, and appointed and elected officials on issues of diversity, equity, and inclusion, and promote training to mitigate biases in implementing town programs and policies.
- Review our existing systems, policies, practices, and procedures and, where necessary, make meaningful changes to build a stronger, more equitable community.
- Encourage diverse voices and representation on town boards and committees.
- Hire and promote team members who reflect that they value diversity, inclusion, equity, and respect for all people.
- Encourage respectful discussion and cooperation among all individuals and groups in our community.
- Work on behalf of all residents, employees and visitors to ensure that Brewster is a place where all can live, work, or visit with equal access to opportunities, programs, and resources regardless of race, ethnicity, national origin, ancestry, gender, age, citizenship, socioeconomic status, religion, ability, gender identity, gender expression, and sexual orientation.

C. A. Bingham

Edward B. Chastelain

Benjamin deBryter

David Whitney

Peter Lombardi

Select Board Strategic Plan Community Character Goal #2

Develop plan to identify/address issues of diversity and inclusion, including potential formation of task force or advisory committee

Affordable Housing Trust Fund Mission Statement

The Brewster Affordable Housing Trust ("BAHT") seeks to expand and preserve year-round rental and ownership homes that are affordable to moderate, low, and very low income households. Our efforts will foster a welcoming environment for demographically and socio-economically diverse populations. The BAHT is committed to education, collaboration, and community engagement.

Presentation Goal:

- To provide a common language and understanding of fair housing and local preference for future discussions and policy decisions.

MASS HOUSING PARTNERSHIP

Background & Context – Zoning: Obstacles & Opportunities for Fair Housing

Affirmatively Furthering Fair Housing

Local Preference: A General Definition and How it is Implemented in MA

Who we are

MHP works with communities to create innovative policy and financing solutions that provide affordable homes and better lives for the people of Massachusetts.

Research on housing data to support policy efforts

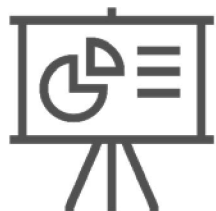
Community Assistance

Permanent financing for affordable rental housing

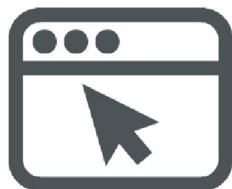
ONE Mortgage program



Community Assistance



Workshops and trainings

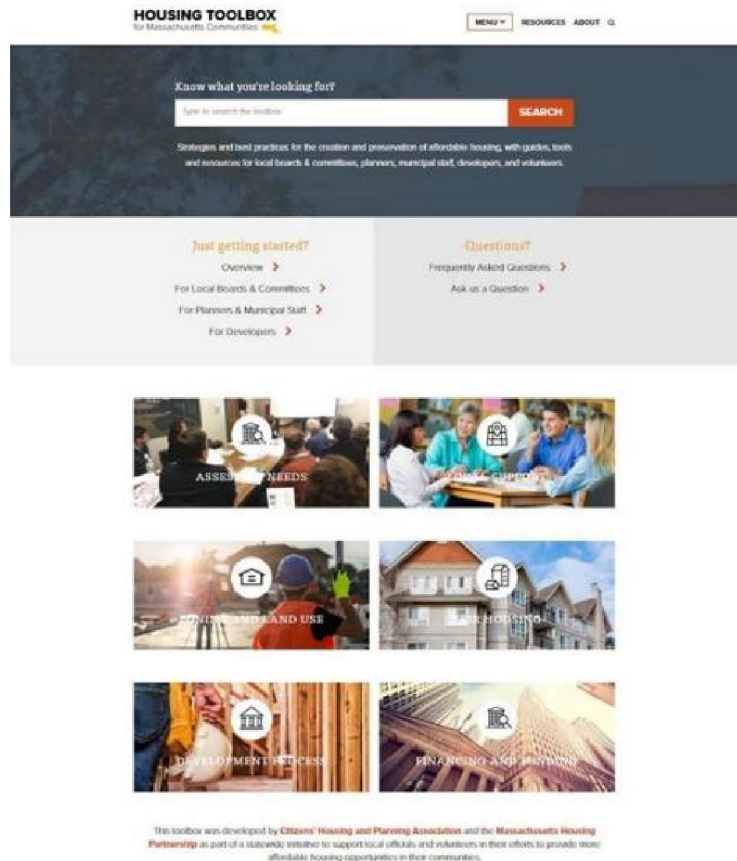


Resources and publications



Technical assistance

www.housingtoolbox.org



- Assessing Needs
- Local Support
- Zoning & Land Use
- Fair Housing
- Development Process
- Financing & Funding



www.mhp.net/datatown

dataTOWN
COMMUNITY INFO - ONE PLACE

Choose your community
Worcester

Home

- Population
- Population change
- Age distribution
- Income, tenure, affordability
- Race
- Housing stock
- Housing inventory
- Housing production
- Jobs and Labor Force
- Employment
- Occupations and industries
- Commuting
- Other Topics
- School Enrollment
- Municipal Finance

DataTown

community info • one place

Welcome to DataTown, Massachusetts

A place to explore and learn about
your community

There is a lot of great information out there, but have you ever tried to collect data about your city or town, only to find that you need to go to multiple sites and navigate a multitude of data types that don't quite make sense for Massachusetts? Even if you can find the data you need, do you find yourself spending too much time organizing and visualizing that data?

Us too.

That's why we created DataTown. We wanted a site that not only compiles community-level



WHAT'S NEW?

WE ARE LIVE! THANKS FOR VISITING!

- > Data downloads for all charts - Thanks Dana L. for the feedback
- > Hover-over labels on all charts - Thanks Chris K. for the feedback
- > Improved mobile performance - Thanks Janelle C. for the feedback



UPCOMING DATA SETS AND FUNCTIONS:

- > 2010 Decennial Census comparison options
- > Bureau of Labor Statistics
- > County-level comparisons
- > return to top of page on tab click



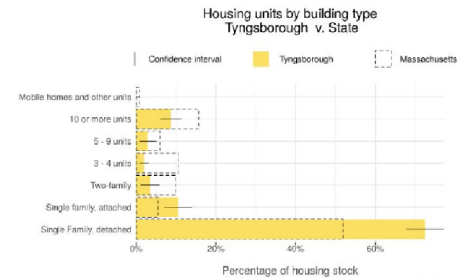
QUESTIONS? COMMENTS?

CONTACT US!

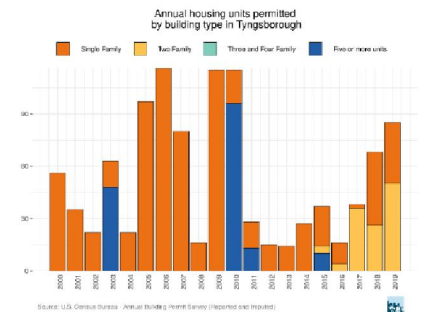
TELL US WHAT YOU'D LIKE TO SEE ON THE SITE ...

Tom Hopper

Co-Director MHP Center for Housing Data



Source: U.S. Census Bureau American Community Survey,
2015-2019 5-year estimates, Table S2004. Physical Housing Characteristics



Local Zoning:

Obstacles and Opportunities for Fair Housing

Brewster Local Preference and Fair Housing Forum

March 25, 2021



Photo Credit: Brewster Historical Society

Brewster's HPP: A Balancing Act

Priority Affordable Housing Needs

- Low-Income Family Housing
 - Garden-style apartments
- Rental Housing for Single People
 - Single Room Occupancy Buildings
- Subsidized Housing for the Elderly
 - Affordable Senior Housing

Regulatory/Development Constraints

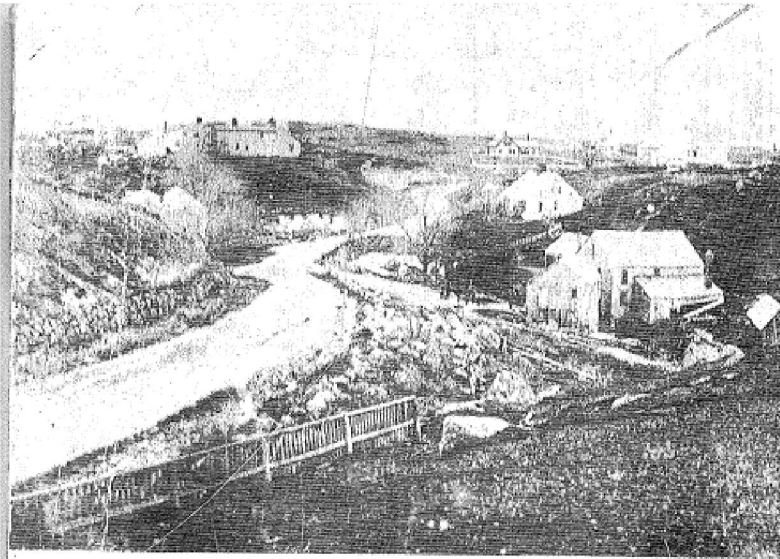
- Infrastructure Challenges (Water, Septic)
- Environmental Constraints
- Open Space and Preservation Goals

Zoning Constraints

- Lack of land zoned for MF
- Land Area Requirements
- Intensity Limitations
- Special Conditions



1960 Zoning By-law



Factory Village, Looking West, (noon hour) - (1870 - 1873)

Annual Reports

TOWN OF BREWSTER MASSACHUSETTS



1960

For The Year Ending December 31, 1960

Five (5) pages in length

Three (3) Districts

- Residential
- Limited Business
- Business

As-of-right Residential Uses

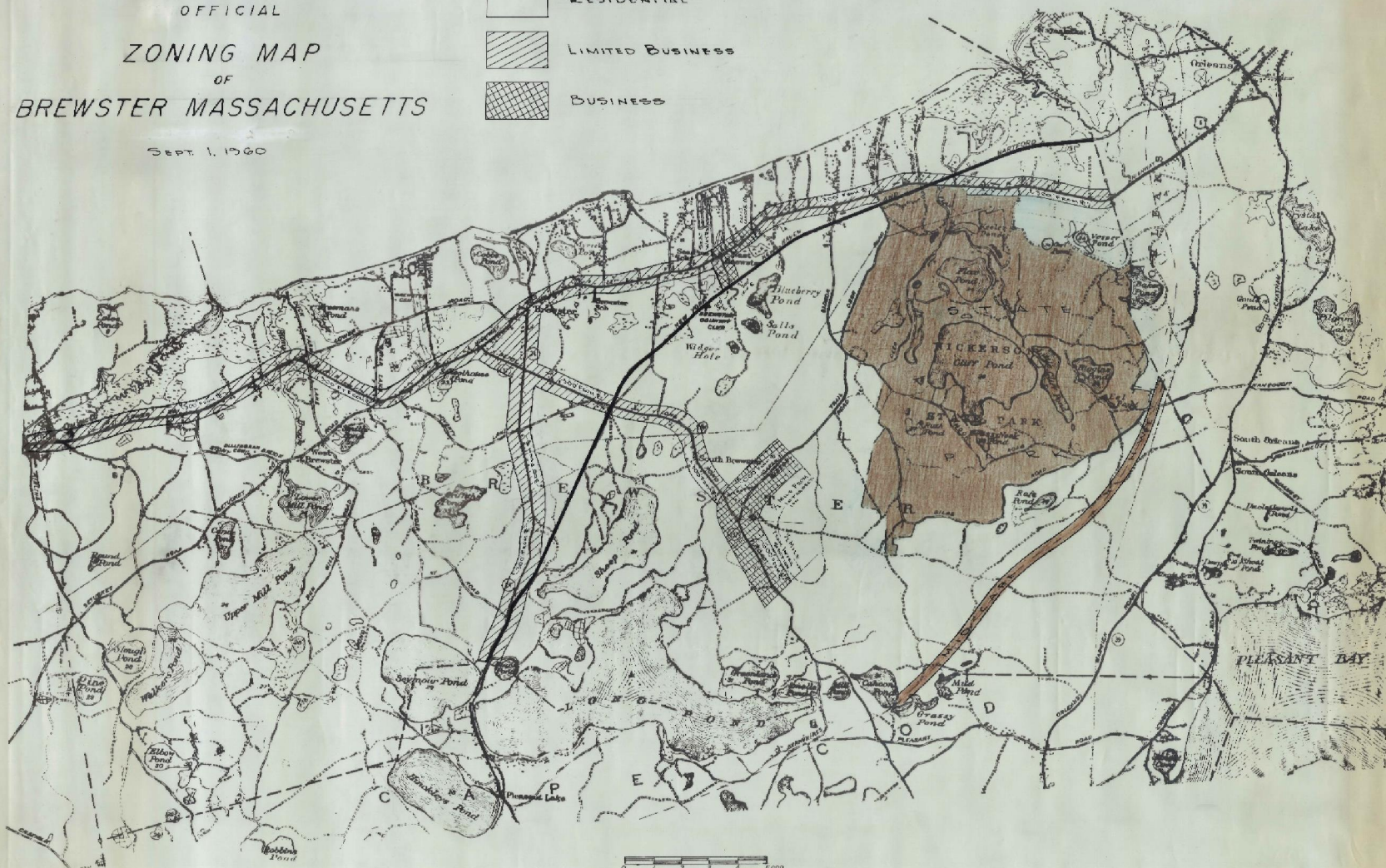
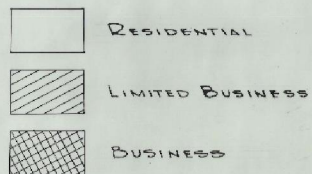
- 1 and 2 Family Dwellings
- Agricultural Uses
- Professional Practice
- Up to ten (10) borders

Area Regulations*

- Min. lot size: 15,000 sf
- Frontage: 100'
- Setbacks: 30', 20', 20'
- Distance between buildings: 40'

OFFICIAL
ZONING MAP
OF
BREWSTER MASSACHUSETTS

SEPT. 1, 1960



1976 Zoning By-law (Includes Changes from 1971)

More Districts

- Residential Rural
- Residential Low Density
- Residential Medium Density
- Commercial-High Density
- Commercial Seasonal
- Wetlands Conservancy
- Municipal Refuse District

New Types of Housing*

- Cluster
- Multifamily
- Townhouse
- PUD

New Types of Regulations

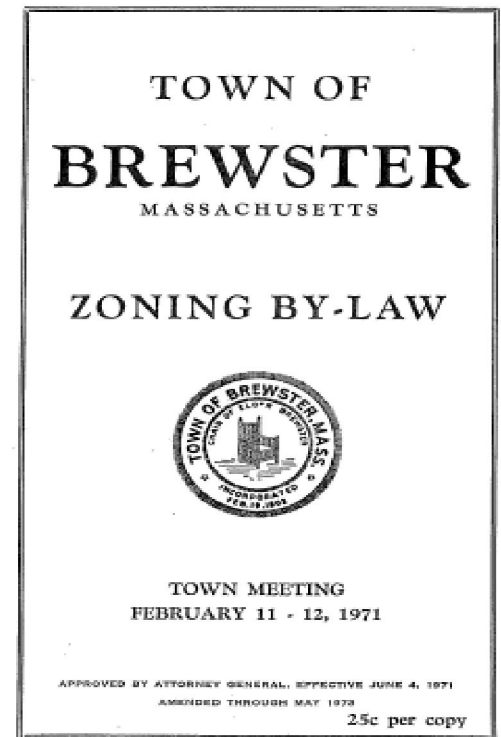
- Off Street Parking Regulations
- Signage Regulations
- "Special" Regulations

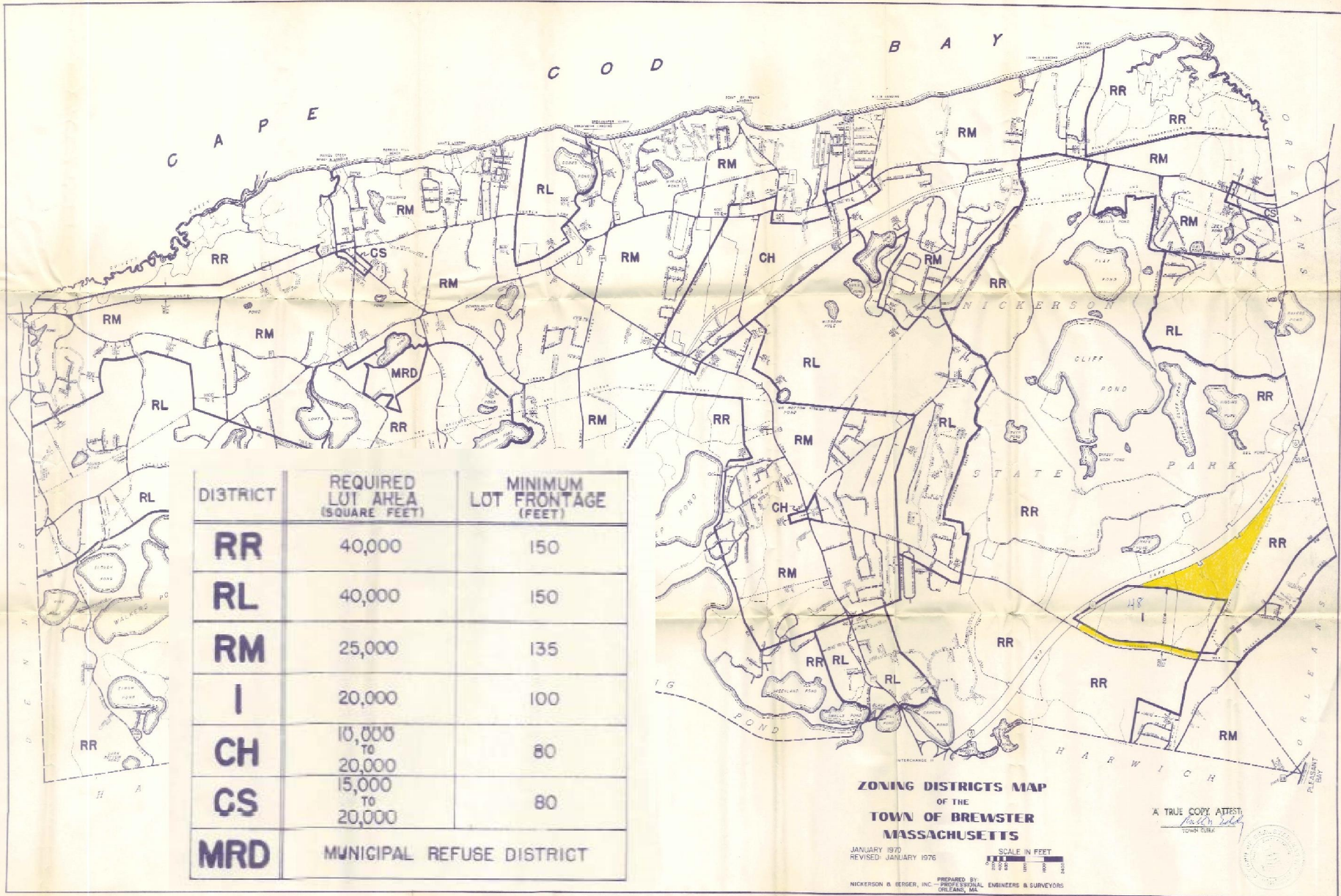
Area Regulations

- Height
- Lot Coverage
- Minimum Building Size
- Distance between building

Non-Conforming Uses

Special Permits

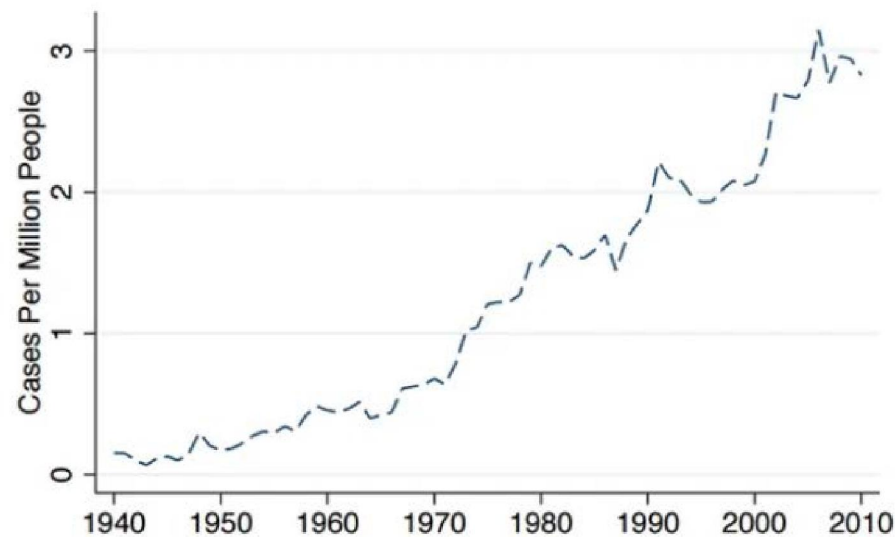




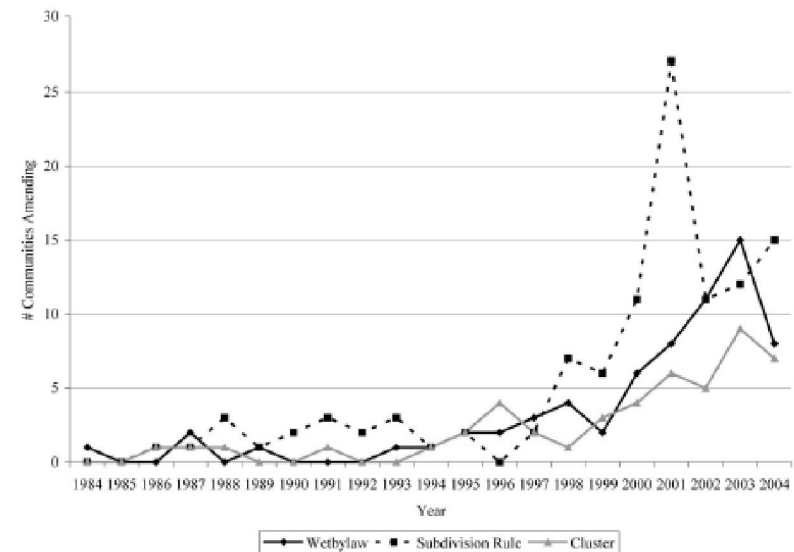
State and National Trends in Land Use Regulation

E.L. Glaeser, B.A. Ward / *Journal of Urban Economics* 65 (2009) 265–278

The growing regulation of land use

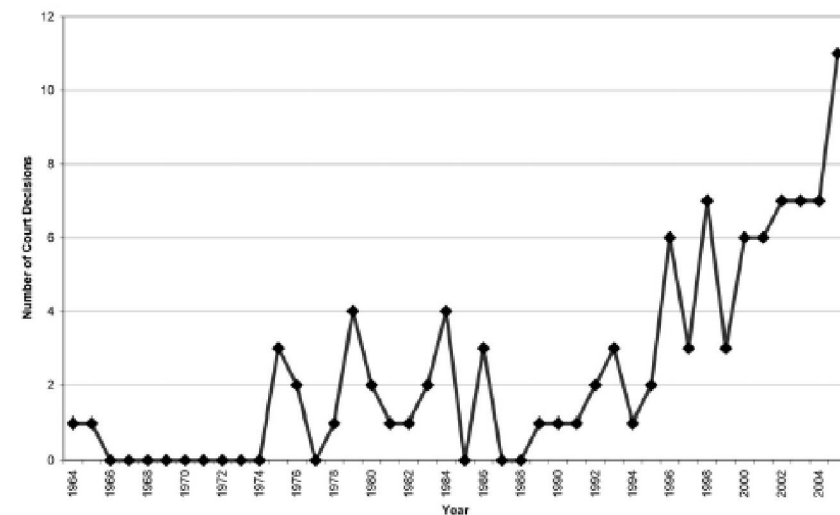


Source: Peter Ganong and Daniel Shoag, "Why has regional income convergence declined?" Hutchins Center Working Paper 21, July 2016, Figure eight.



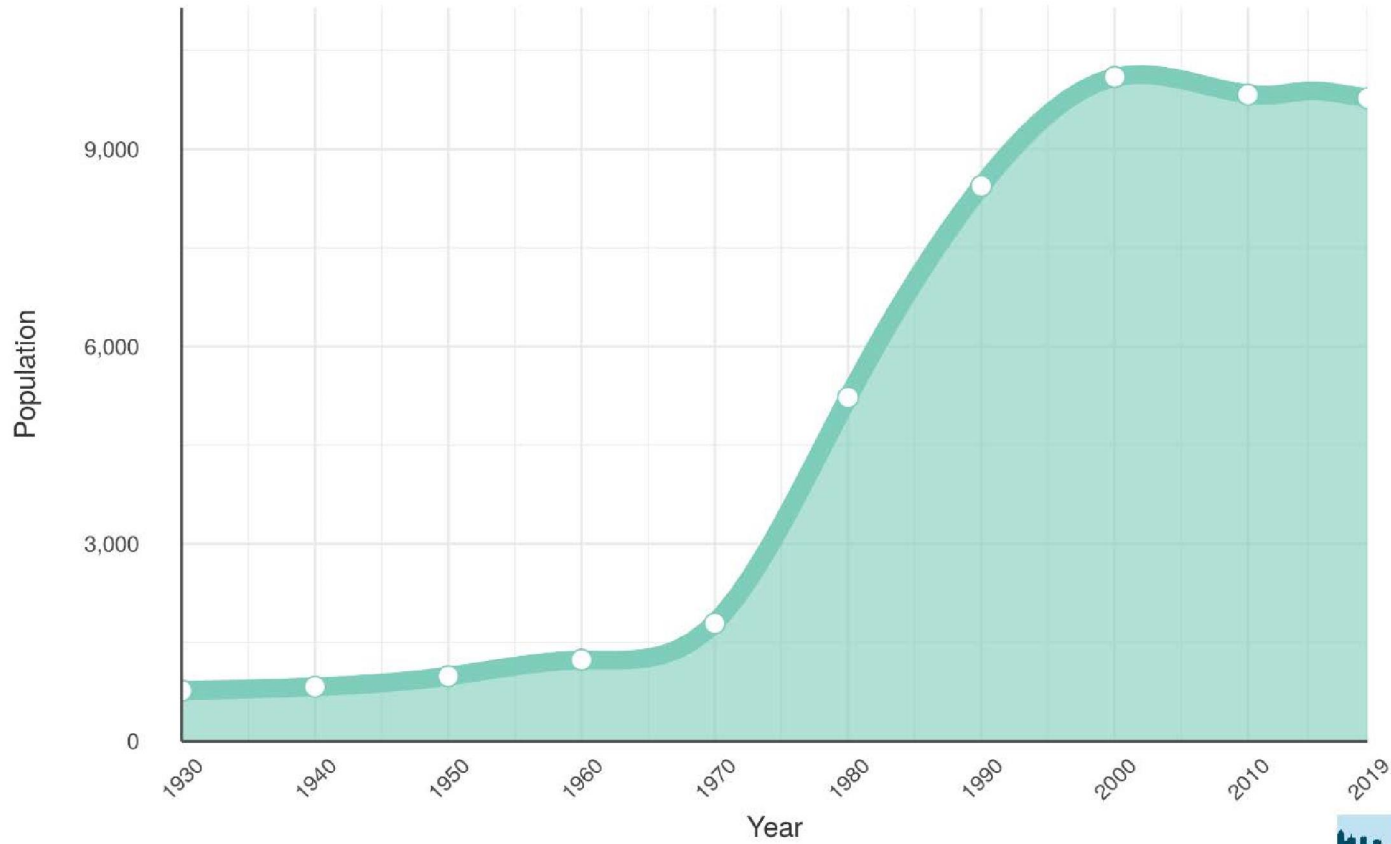
Source: Pioneer Institute's Housing Regulation Database for Massachusetts Municipalities in Greater Boston.

Fig. 5. Number of communities amending wetlands bylaws, subdivision rules, and cluster provisions, 1984–2004.



Source: Lexis-Nexis.

Population change Brewster



Source: U.S. Census Bureau Population Estimates Program

Brewster's Current Regulatory Framework

Lot sizes



New Districts

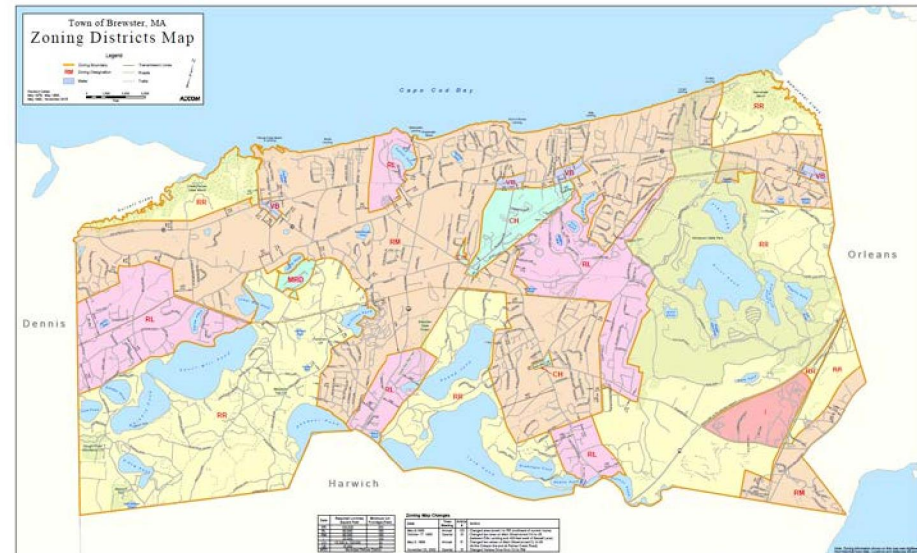
- Groundwater Protection District
- Floodplain District
- Village Business
- Natural Resource Protection District (Overlay)
- Water Quality Protection District (Overlay)

New Uses

- Cellular facilities
- Marijuana Dispensaries
- Wind Turbines
- Solar

New Types of Housing

- Senior Affordable Housing
- Natural Resource Protection Design
- Planned Residential Development
- Major Residential Development
- Accessory Dwelling Units
- Affordable Multi-Family Housing Lot Sizes



Other

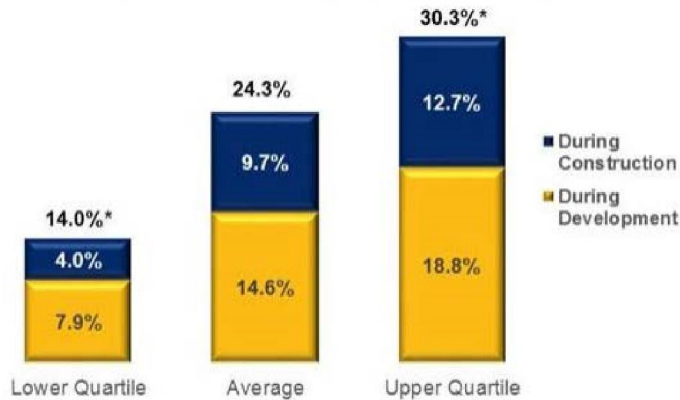
Septic Regulations > Title V

Wetlands Regulations > Wetland Protection Act

Historic Districts Commission

The Cost of Increased Regulation

Figure 1. Regulatory Costs as a Share of Home Price



* For quartiles, construction and development costs do not sum to the total.
Source: NAHB/Wells Fargo HMI survey, assumptions described in the Appendix.



HousingEconomics.com

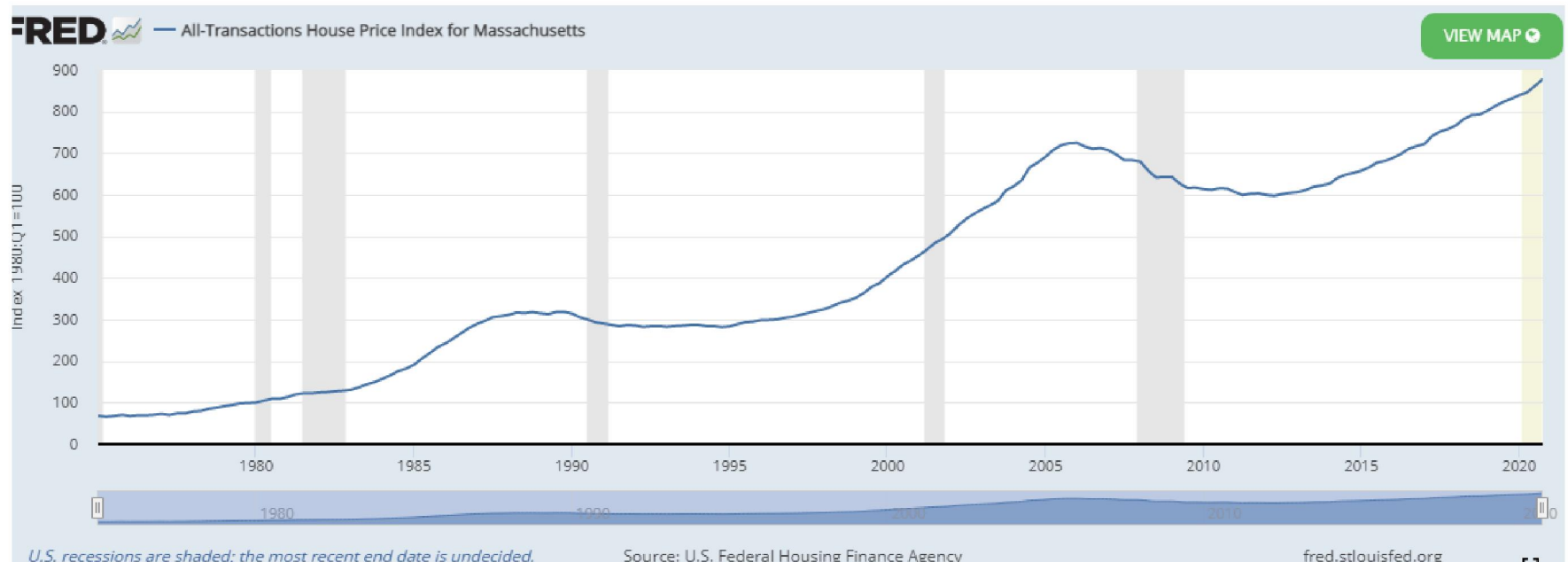
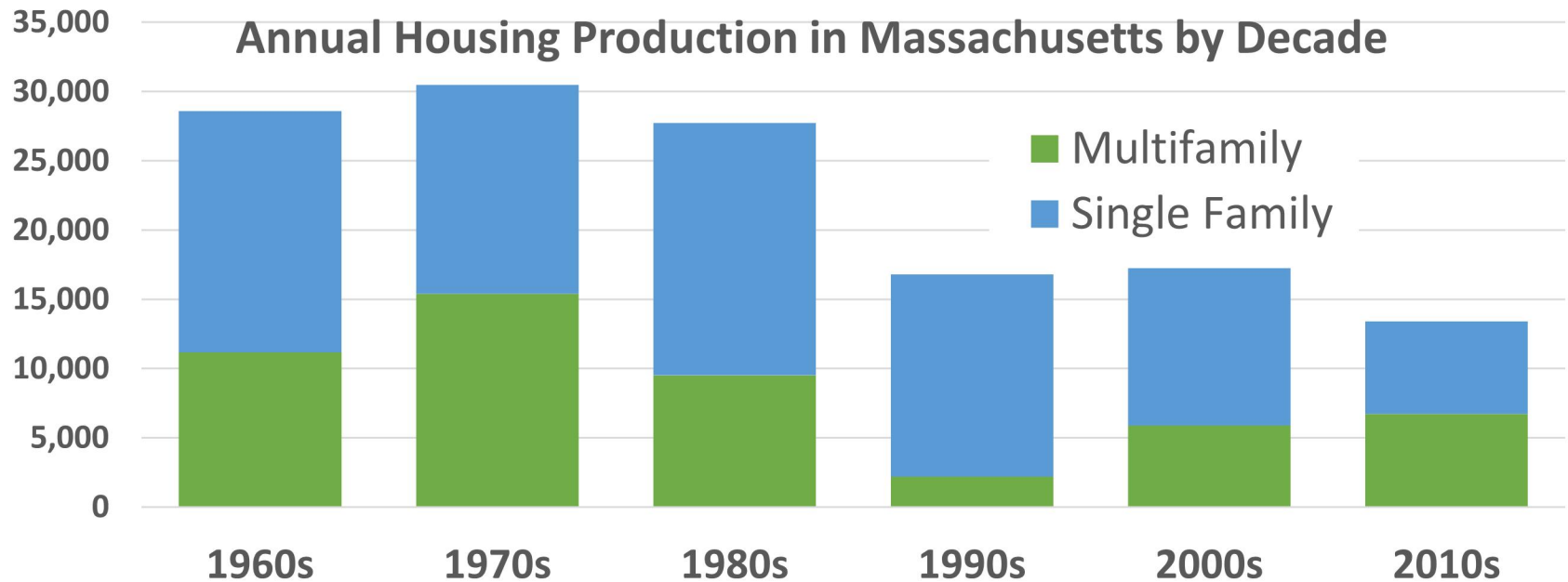


Figure 3. 2011-2016 Increases Compared



Regulatory costs based on avg new home prices 2/11 and 3/16 applied to survey data from the subsequent month
GDP and income per capita from 2010:Q4 and 2015:Q4, U.S. Bureau of Economic Analysis
CPI from 2/11 and 3/16, PPI from 11/10 and 12/15; U.S. Bureau of Labor Statistics
Constant quality price index for new single-family homes under construction 1/11 and 2/16, U.S. Census Bureau

The Cost of Increased Regulation



Spatial Implications of Increased Regulations

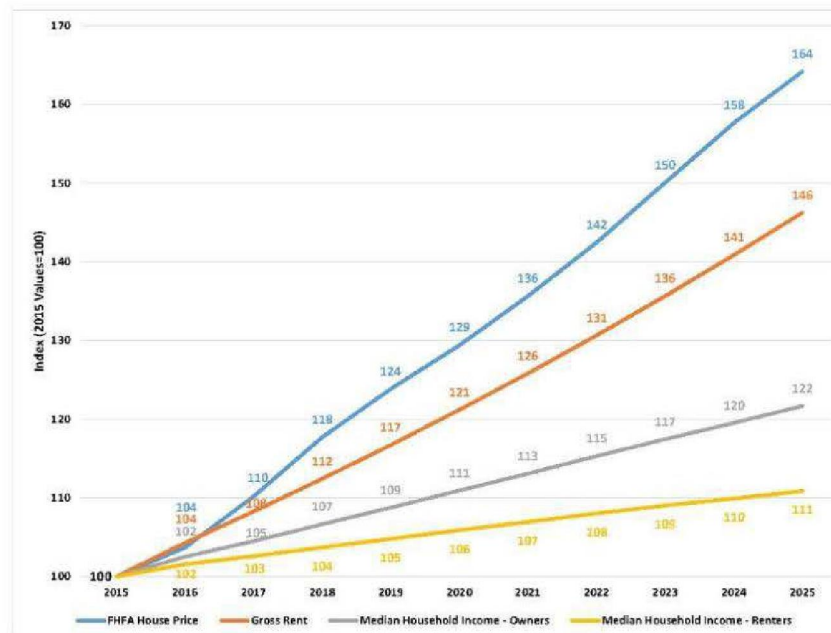
The average lot size in Massachusetts is now more than an acre, or the size of an NFL football field.



Building Heights in non-urban towns have dropped below what was built historically

Social Implications of Local Regulations

*But limited supply of housing is driving costs up at rates **greater rate** than household **incomes**. Providing limited market rate housing choices for large segments of the working population of Cape Cod*



House prices increasing 5.1%/year

Rents increasing 3.9%/year

Owner income increasing 2.0%/year

Renter income increasing 1.0%/year



UNION STUDIO
ARCHITECTURE & COMMUNITY DESIGN

“Limiting the development of inexpensive housing in affluent neighborhoods and jurisdictions fuels economic and racial segregation and contributes to significant differences in school performance across the metropolitan landscape.”

Housing Costs, Zoning, and Access to High-Scoring Schools

Jonathan Rothwell

Findings

An analysis of national and metropolitan data on public school populations and state standardized test scores for 84,077 schools in 2010 and 2011 reveals that:

- **Nationwide, the average low-income student attends a school that scores at the 42nd percentile on state exams, while the average middle/high-income student attends a school that scores at the 61st percentile on state exams.** This school test-score gap is even wider between black and Latino students and white students. There is increasingly strong evidence—from this report and other studies—that low-income students benefit from attending higher-scoring schools.
- **Northeastern metro areas with relatively high levels of economic segregation exhibit the highest school test-score gaps between low-income students and other students.** Controlling for regional factors such as size, income inequality, and racial/ethnic diversity associated with school test-score gaps, Southern metro areas such as Washington and Raleigh, and Western metros like Portland and Seattle, stand out for having smaller-than-expected test-score gaps between schools attended by low-income and middle/high-income students.
- **Across the 100 largest metropolitan areas, housing costs an average of 2.4 times as much, or nearly \$11,000 more per year, near a high-scoring public school than near a low-scoring public school.** This housing cost gap reflects that home values are \$205,000 higher on average in the neighborhoods of high-scoring versus low-scoring schools. Near high-scoring schools, typical homes have 1.5 additional rooms and the share of housing units that are rented is roughly 30 percentage points lower than in neighborhoods near low-scoring schools.
- **Large metro areas with the least restrictive zoning have housing cost gaps that are 40 to 63 percentage points lower than metro areas with the most exclusionary zoning.** Eliminating exclusionary zoning in a metro area would, by reducing its housing cost gap, lower its school test-score gap by an estimated 4 to 7 percentiles—a significant share of the observed gap between schools serving the average low-income versus middle/higher-income student.

As the nation grapples with the growing gap between rich and poor and an economy increasingly reliant on formal education, public policies should address housing market regulations that prohibit all but the very affluent from enrolling their children in high-scoring public schools in order to promote individual social mobility and broader economic security.

Social Implications of Local Regulation

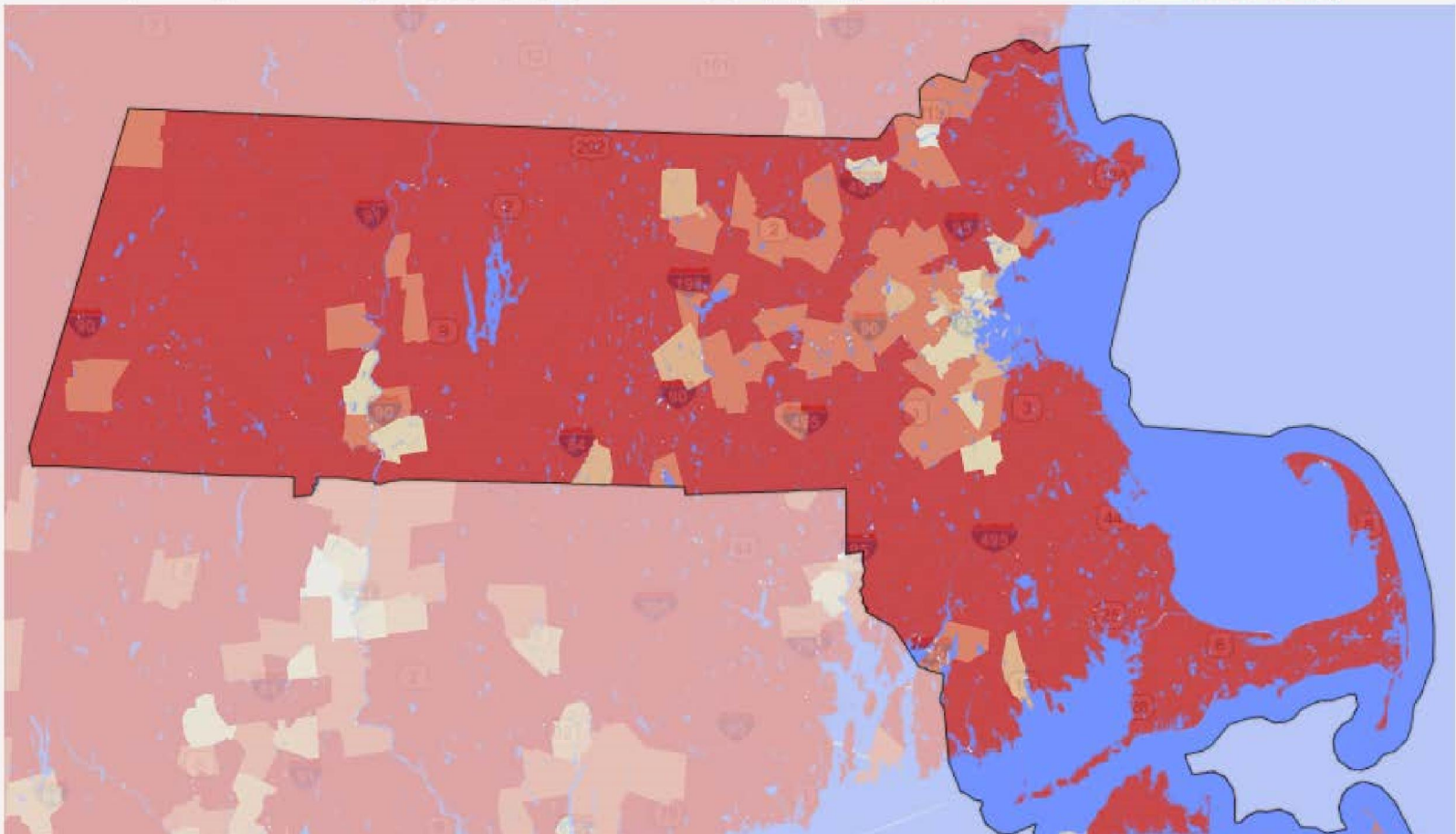
Map of Race and Ethnicity by County Subdivision in Massachusetts

White Hispanic Black Asian Mixed Other

White Race and Ethnicity by County Subdivision

#13

Whites (non-Hispanic) as a percentage of the population (%):



The Power of Local Regulations

More Regulated → More Expensive Housing

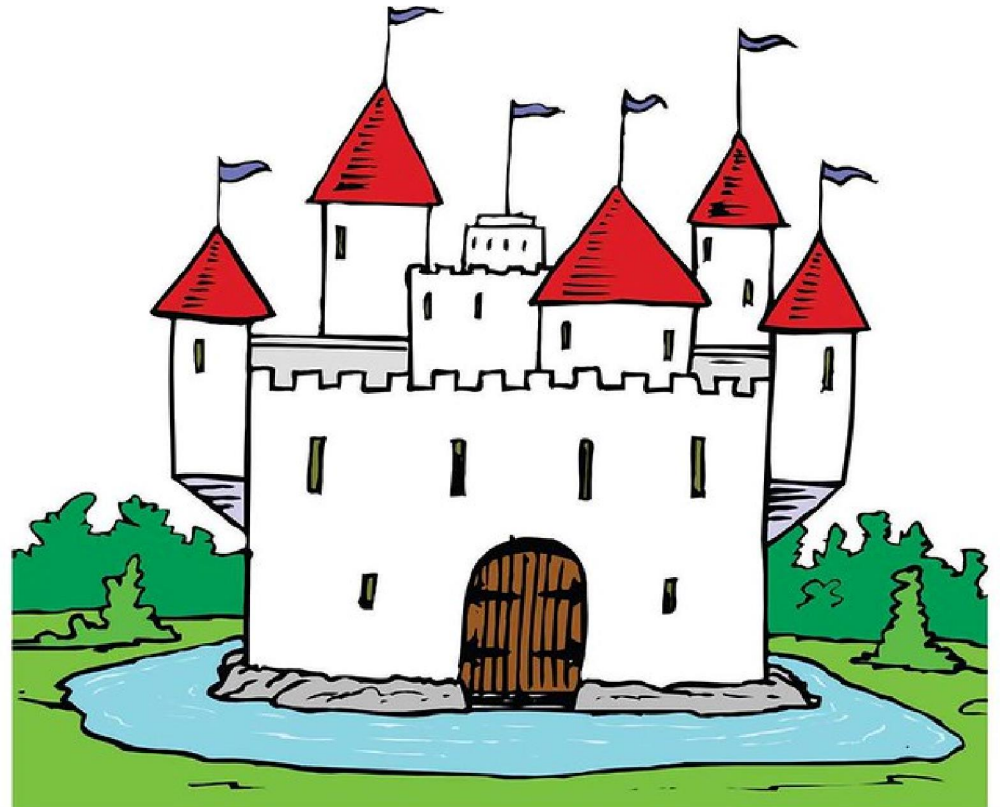
More Regulated → Better Services

More Regulated → Higher Barriers to Entry (Exclusive)

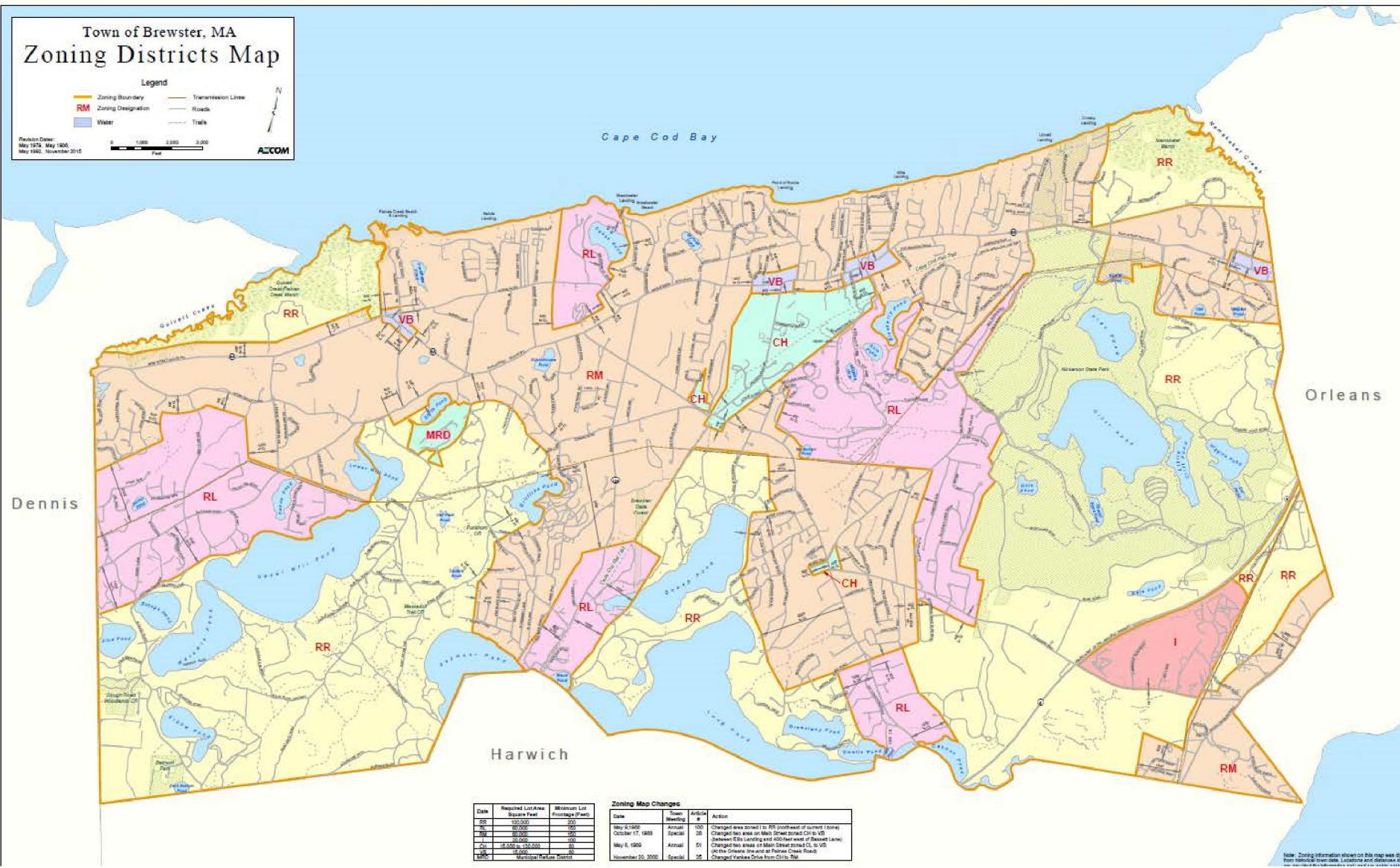
More Regulated → Less Diverse (Race and Income)

More Regulated → Less Equitable (Redistributive)

The Power of Local Regulations



Zoning IS your Master Plan



Brewster's Housing Vision

Housing

GOAL: Provide more affordable, safe, and accessible rental and ownership housing options at different price points, particularly for single people, young families, and our older population. Achieve the state's 10% affordable goal by 2025.

PURPOSE 1

Promote housing choices to allow families to live, work, and prosper

1. Review current zoning with key emphasis on Accessory Dwelling unit bylaw which would allow an additional smaller unit to be built on an existing home lot; consider multifamily zoning and housing above existing businesses.
2. Review current housing stock and town owned land, identify needs, promote existing programs and create innovative new programs.
3. Create a Municipal Housing Trust which will allow the Town to develop more flexible programs such as Buy Down assistance for homeowners, rental vouchers, rehabilitation and acquisition of land for Town-led, friendly 40B affordable development.
4. Research and develop creative public and private sources of funding and partnerships for housing.
5. Educate the public about affordable housing by holding educational forums and creating a marketing/awareness campaign about the need for affordable and community housing options.

PURPOSE 2

Provide opportunities to address the varied housing needs of Brewster's aging population

1. Create more ways for seniors to age in place through zoning changes, tax incentives, home sharing programs and elderly support services.
2. Develop more elderly housing options that are focused on inclusion, not isolation, and that are near public transportation routes.

PURPOSE 3

Address the housing needs of the Town's year-round and seasonal workforce

1. Develop relationships between businesses, homeowners and Town to identify and locate rooms for seasonal workers in safe and well managed locations, preferably near transportation centers. Review zoning that would allow more housing units to be built above existing businesses.
2. Develop more year round work force affordable rental stock and affordable first time homeownership opportunities through, for example, smaller lot sizes and non-traditional housing designs.

Examples of stakeholders

- Low/Middle Income Residents (Young Families, Older Fixed Income Families & Seasonal Workforce)
- Brewster Housing Coordinator • Brewster Housing Trust • Housing Partnerships (Brewster & MA)
 - Brewster Housing Authority • Chambers of Commerce (Cape and Brewster)
 - Local Builders Associations, Contractors, MA Architects
- Community Development Partnership • Housing Assistance Corporation • Lenders/Financing



Housing Choices-New Opportunities for Zoning

Reduces Town Meeting voting threshold from 2/3 majority to simple majority for zoning articles allowing:

- Multi-family housing or mixed-use developments “as of right” in an eligible location.
- Accessory dwelling units, either within the principal dwelling or within a detached structure on the same lot, as-of-right; or detached ADUs with SP
- Reduced parking requirements (with a special permit)
- Reduced dimensional standards:

lot size

lot coverage

height

setbacks

parking




Photo Credit: Brewster Historical Society

Thank you!

Katy Lacy, MHP

katharinelacy@gmail.com



Strengthening our communities by affirmatively furthering fair housing

Shelly Goehring
Senior Program Manager



In this session:



**Our fair housing
obligations**

**Recognizing
barriers to fair
housing**



**Benefits of
inclusive
communities**

**Fair
Housing
Act of 1968**



Federal & State Protected Classes

Federal (Fair Housing Act)

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status
- Disability

State (M.G.L. c. 151B)

All federal bases plus:

- Ancestry
- Age
- Marital Status
- Source of Income/Public Assistance
- Sexual Orientation
- Gender Identity
- Veteran History/ Military Status
- Genetic Information

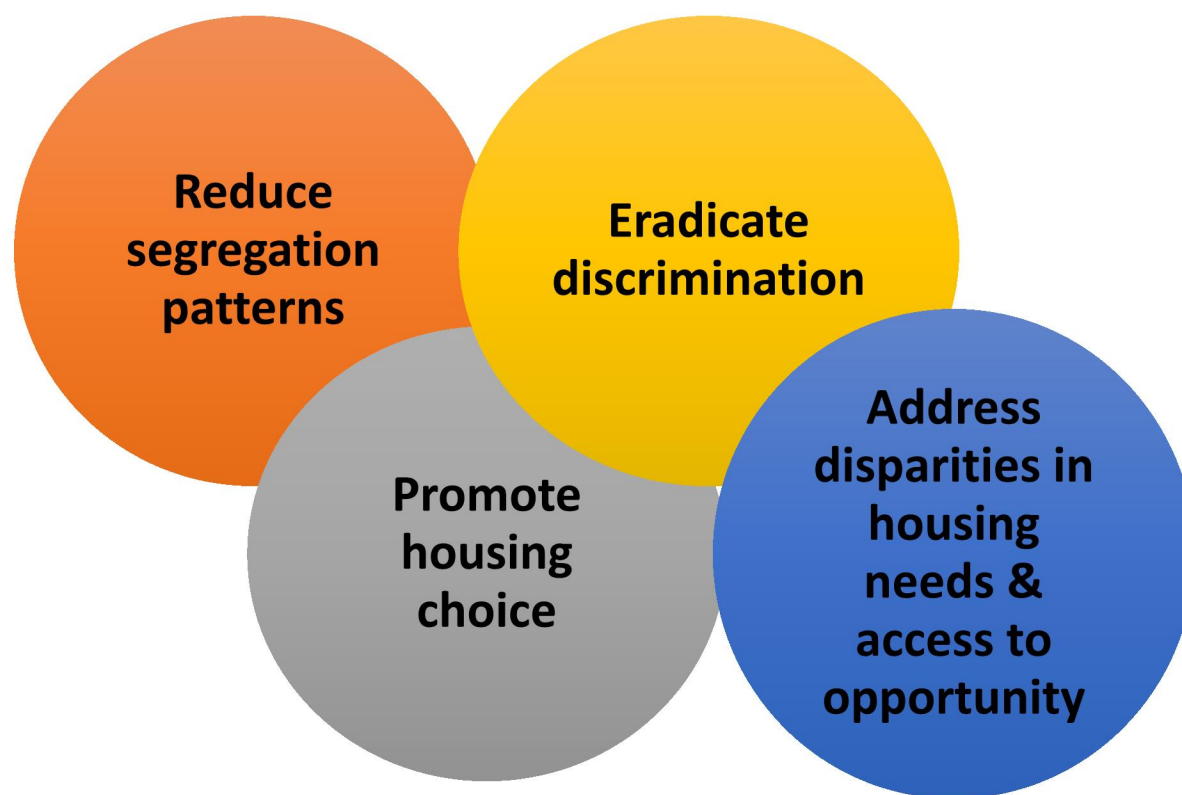
Two sides of the fair housing coin

Analysis of
Impediments



Affirmatively
Further Fair
Housing

Obligation to Affirmatively Further Fair Housing



AFFH needs to consider race

“In the face of the clear legislative purpose of the Fair Housing Act...to combat racial segregation and discrimination in housing, an interpretation of “affirmatively further fair housing” that excludes consideration of race would be an absurd result...”

--Anti-Discrimination Center of Metro NY Incorporated v. Westchester County

Analysis of Impediments

1

It's not just about how much affordable housing you have.

2

Examine location of your affordable housing. Consider its proximity to opportunities and resources.

3

Does the housing increase or decrease racial diversity in the neighborhood?

Strategies to Affirmatively Further Fair Housing

Affirmative Fair Marketing

- Follow DHCD's marketing & resident selection plan guidelines
- Market to those least likely to apply

Zoning

- Consider ways that zoning may be creating disparate impact

Diverse Housing Options

- Multi-family AND single family
- Rental AND homeownership
- Family AND senior




EQUAL HOUSING
OPPORTUNITY



What the state is doing to AFFH



An aerial photograph of a coastal landscape. The foreground is filled with dense green vegetation, interspersed with patches of light-colored, sandy or rocky ground. A diagonal line runs from the top-left corner towards the bottom-right, separating the text area from the image. To the right of this line, the land meets a large body of bright blue water. The horizon is visible in the distance under a clear sky.

Recognizing barriers to fair housing

Municipal level

Often no fair
housing
consideration in
master plans

No local fair
housing goals &
objectives

Resistance to look
regionally

Primarily single
family zoning

Municipal
leadership skews to
home owners

Tools that may exclude

Local zoning

- Large lot sizes
- No multi-family “as of right” (economies of scale)
- Set backs and floor-area-ratio (FAR)

Local preference (0% vs 70% vs 100%)

Resistance to public sewer and water



Acknowledging impediments
to fair housing is the *first step*.
**Planning to address
impediments is the NEXT
step.**

**Inclusive
communities
are more
resilient**

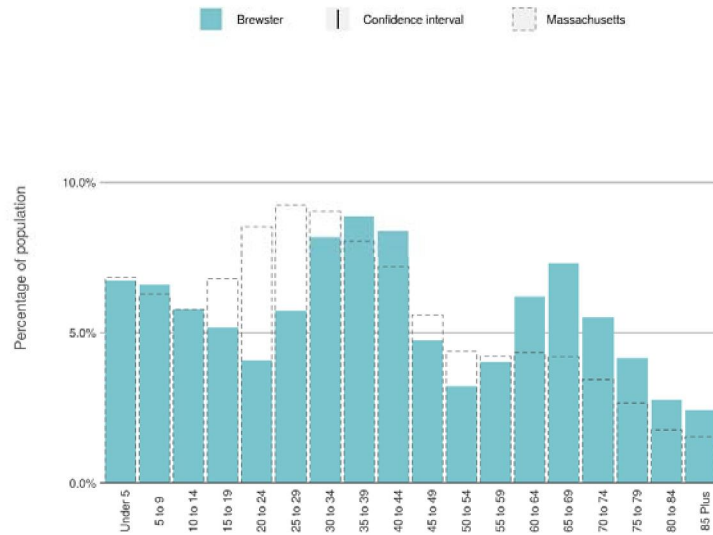


**Diversify
age
distribution**



Significant decrease in young adults

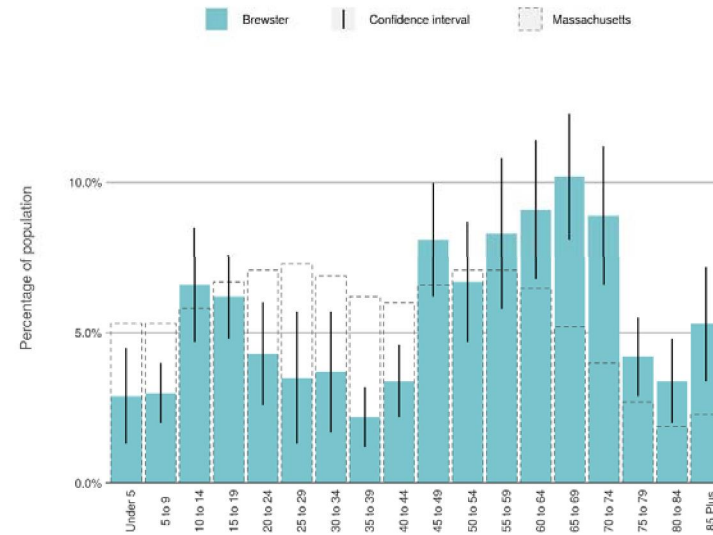
Age distribution
Brewster v. State
1990



Source: U.S. Census Bureau; Decennial Census 1990-2010 & American Community Survey, 2015-2019 5-year estimates. Table S0101: Age and Sex



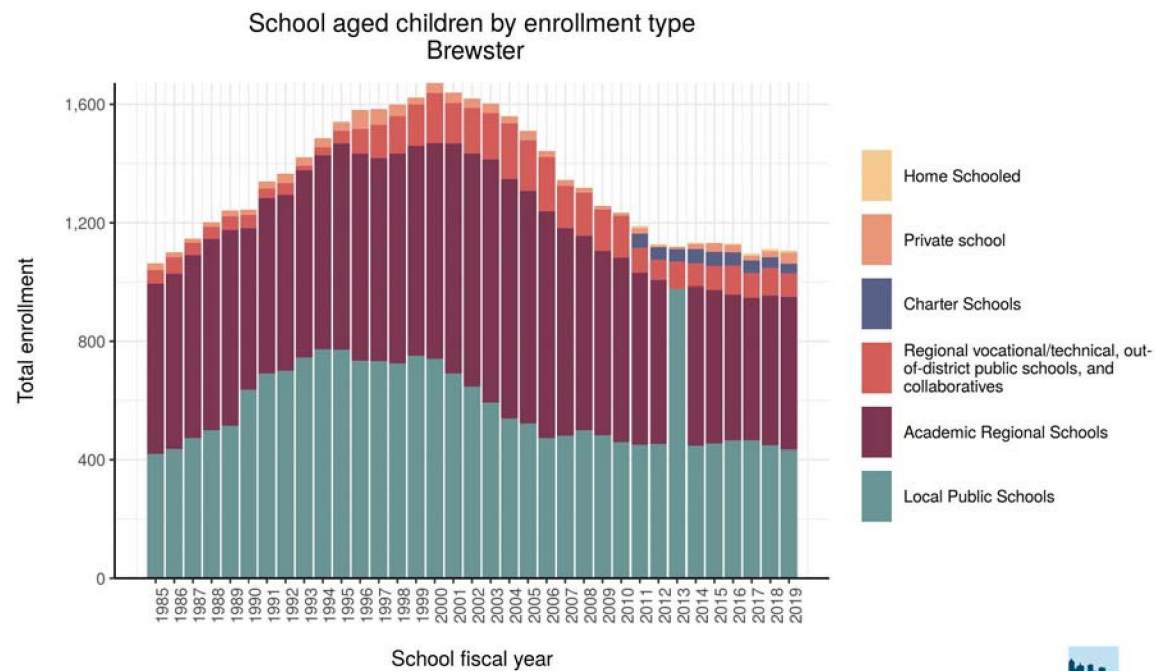
Age distribution
Brewster v. State
2015-2019 ACS



Source: U.S. Census Bureau; Decennial Census 1990-2010 & American Community Survey, 2015-2019 5-year estimates. Table S0101: Age and Sex



Is this impacting the schools?

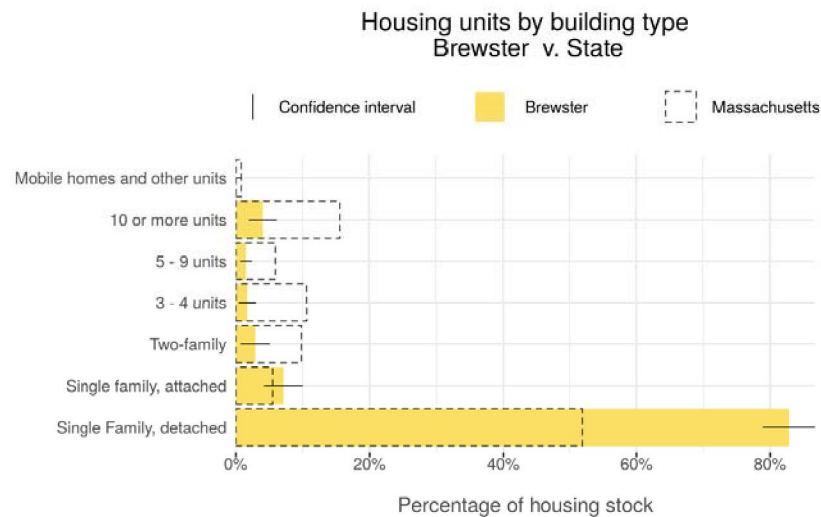


Source: Massachusetts Department of Elementary and Secondary Education

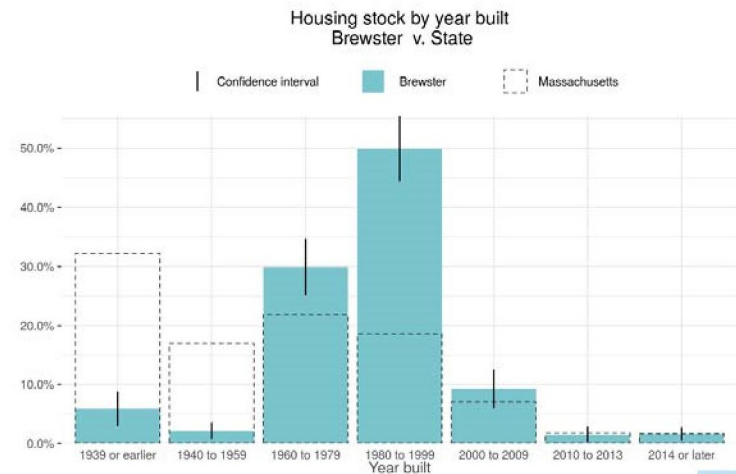
**Increase
local
housing
options**



Very little housing diversity & development



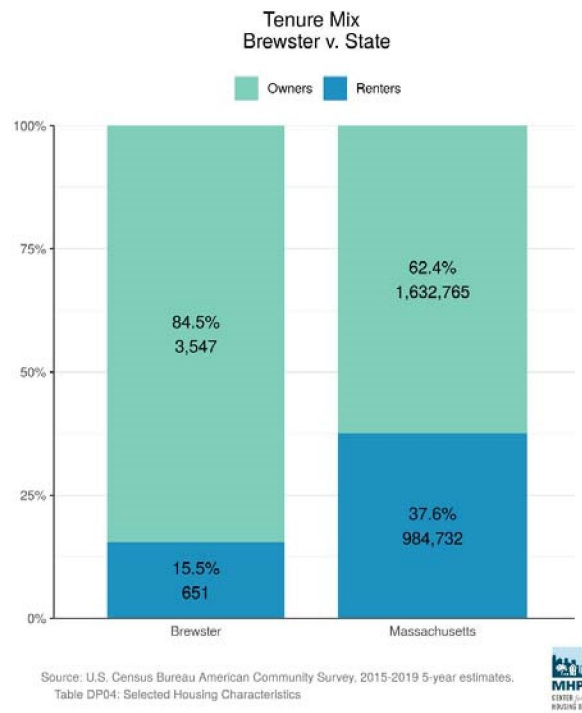
Source: U.S. Census Bureau American Community Survey,
2015-2019 5-year estimates. Table S2504: Physical Housing Characteristics



Source: U.S. Census Bureau American Community Survey,
2015-2019 5-year estimates. Table S2504: Physical Housing Characteristics



Most housing is homeownership



Having a healthy mix of rental and homeownership housing, as well as smaller homes, supports people in all stages of the life cycle.

**Support the
local economy
that relies on
low wage
labor**



EQUITY

Landscapers

Childcare providers

Housecleaners

Retail workers

Many municipal workers

What does it say
about us if we want
the workers, but not
the housing these
workers can afford to
live in?

**Prepare for
a diverse
workplace**



From 1980 to 2024...

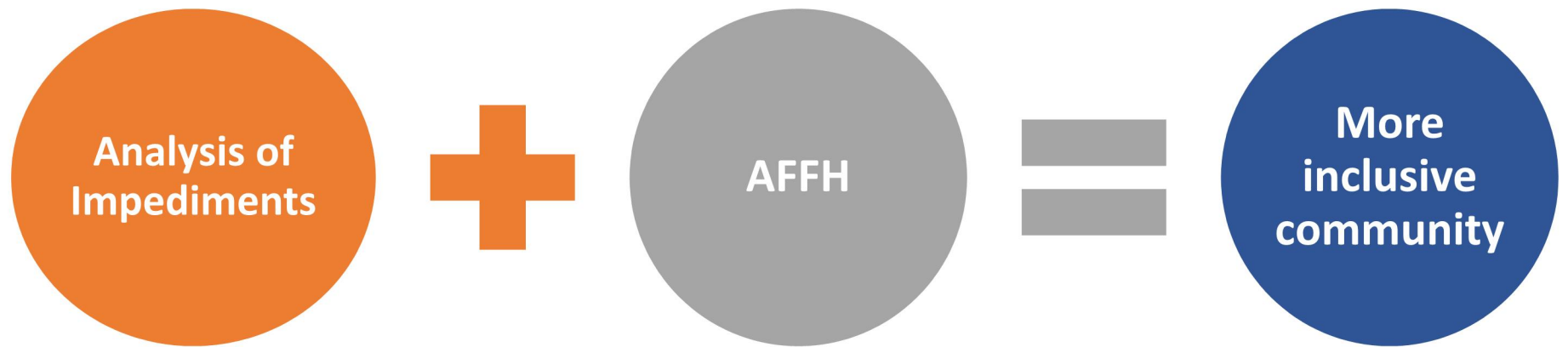
- White non-Hispanic workers expected to dip below 60% (down from 83% in 1980)
- People of color in the workforce will have more than doubled (18% to 39%+)
- Millennials (56% white) are more diverse than Boomers (72% white)

Does it put Brewster young people at a disadvantage to live in a primarily white community?

Sources: Bureau of Labor Statistics, The National Center for Public Policy and Higher Education, CNN Business



It's in your hands!



Resources





Relevant data for every community in the Commonwealth to help make the case for housing.

www.mhp.net/datatown



Strategies and best practices for the creation and preservation of affordable housing.

www.housingtoolbox.org

Questions?

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Senior Program Manager

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GUIDELINES

Updated December 2014

G.L. C.40B COMPREHENSIVE PERMIT PROJECTS

SUBSIDIZED HOUSING INVENTORY

Regulatory Authority: see 760 CMR 56.00



Local Preference-WHY?

If a municipality wishes to implement a local selection process, it must:

- (1) Demonstrate in the AFHMP the need for Local Preference. For instance, a community that has a subsidized rental housing or public housing waiting list with applicants likely to apply for the project may support a local preference.
- (1) Justify the extent of the Local Preference (the percentage of units to be set aside for local preference). That is, how does the documented local need, in the context of the size of the community, justify the proposed size of the local preference for a given project. *Note, however, that in no event shall a local preference exceed 70% of the affordable units in a project.*
- (2) Demonstrate that the proposed local preference will not have a disparate impact on protected classes

Local Preference-HOW?

“A municipality must provide the developer (and the subsidizing agency) the documentation required to support a local preference within 3 months of the issuance of the Comprehensive Permit. Failure to comply with this requirement shall be deemed to demonstrate that there is not a need for a local preference and shall not be approved as a part of any Affirmative Fair Housing Marketing Plan or Use Restriction.”

“The Subsidizing Agency, and in the case of Local Action Units, DHCD as well as the municipality, must approve a local preference scheme as part of the AFHMP. Therefore, the nature and extent of local preferences should be approved by the Subsidizing Agency (or DHCD in the case of LAUs) prior to including such language in any zoning mechanism. Furthermore, a comprehensive permit shall only contain requirements or conditions relating to local preferences to the extent permitted by applicable law and this policy.”

(a) Allowable Preference Categories

- (1) Current residents: a household in which one or more members is living in the city or town at the time of application.
- (2) Municipal employees: employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- (3) Employees of local businesses: employees of businesses located in the municipality.
- (4) Households with children attending the locality's schools, such as METCO students.

Local Preference-Guard Rails

- b. When determining the preference categories, the geographic boundaries of the local resident preference area may not be smaller than the municipal boundaries.
- c. Durational requirements related to local preference, that is, how long an applicant have lived in or worked in a residency preference area are not permitted in any case.
- d. Preferences extended to local residents should also be made available not only to applicants who work in the preference area, but also to applicants who have been hired to work in the preference area because of a bona fide offer of employment, and applicants households with children attending the locality's schools.
- e. A preference for households that work in the community must not discriminate against persons with disabilities and elderly households.
- f. Advertising must not have a discriminatory effect on eligible applicants. As such, local residency requirements must not be advertised as they may discourage non-local applicants

Local Preference only applies to the initial sale or lease up!

Local Preference Guard Rail: Minority Balancing

Percentage (%) of minority applicant in Local Preference pool must be equal to or greater than % minority residents in Metropolitan Statistical Area.

Example: A forty (40) unit 40B in Barnstable County with 10 affordable units

Step 1: Sort by “Open” and “Local”

Applicants in “Open Pool” (not Local): 70, including 10 minority

Applicants in “Local Preference Pool”: 30, including 2 minority

Applicants in Local Preference Pool	Minority Applicants in Local Preference Pool	% Minority Applicants in Local Preference Pool
30	2	6.7%

Step 2: Assess

% Minority Applicants in Local Pool 6.7%

%Minority Population in Barnstable County 8.4%

Minority Balancing Needed? YES

Step 3: Balance

- Hold preliminary drawing of all non-local minority applicants
- Rank by order picked
- Add minority applicants to local pool until % of minority in local pool is greater than or equal to

% minorities in SMSA (8.4% in Barnstable)

%Total Applicants in Supplemented Local Preference Pool	%Total Minority Applicants in Supplemented Local Preference Pool	%Minority Applicants in Supplemented Local Preference Pool
31	3	10%

Partial Bibliography for Zoning Presentation

Segregation by Design Jessica Trounstein, 2018

Neighborhood Defenders, Einstein, et. al 2020

Zoning Rules, Fischel, 2015

“A New Measure of the Local Regulatory Environment for Housing Markets: The Wharton Residential land Use Index,” Gyorko et al, 2006

“The Geography of Inequality: How Land Use Regulation Produces Segregation” in American Political Science Review, 2020

“Residential Land Use Regulations in Eastern Massachusetts,” Amy Dain, Pioneer Institute, 2005

“The Causes and Consequences of Land Use Regulations,” Glaser, Journal of Urban Economics

“Zoning, Housing Costs and Access to High Quality Schools,” Glaser, Brookings Institute, 2012,

ETC.....

BREWSTER HOUSING

Recent Housing Activities & Fair Housing

Brewster's Housing Context

Brewster Housing Stock: 45% owner occupied, 8% renter occupied, 44% seasonal/ vacant

MA Housing Stock: 56% owner occupied, 34% renter occupied, 4% seasonal/ vacant

2020 Median Brewster Home Sales Price- \$470,000 (Cape & Islands Assn. of Realtors)

Affordable Housing:

- Affordable units on the Subsidized Housing Inventory (SHI) – 268 units
 - 5.58% of year round housing, MA mandates 10% affordable of year round housing stock.
- Brewster Housing Authority- 56 apartments, state subsidized housing, 2+ year wait list
- Wells Court- 24 apartments, senior housing, 2+ year wait list
- King's Landing- 108 apartments, 5+ year wait list

Demographics: Brewster, Barnstable County, Massachusetts

Barnstable County Demographics

Population Estimates by Race and Hispanic Origin in 2019	Number	Rank in U.S.	Pct Dist.	Pct Dist. in U.S.
American Ind. or Alaskan Native Alone	1,313	390	0.6%	0.8%
Asian Alone	3,182	405	1.5%	5.5%
Black Alone	6,210	739	2.9%	12.7%
Native Hawaiian and Other Pac. Isl. Alone	109	436	0.1%	0.2%
White Alone	195,669	266	91.6%	72.5%
Two or More Race Groups	4,448	424	2.1%	3.3%
Hispanic or Latino (can be of any race)				
Non-Hispanic or Latino	206,880	279	96.9%	82.0%
Hispanic or Latino	6,616	660	3.1%	18.0%

Sources: U.S. Census Bureau

Brewster town, MA

Located in Barnstable Co. MA - Part of Barnstable Town MA Metropolitan Area

Demographics

Population by Age in 2019				
	Population	Pct. of Total	Massachusetts	Pct. of Total
Total	9,837	100%	6,850,553	100%
Preschool (0 to 4)	283	2.9%	361,016	5.3%
School Age (5 to 17)	1,319	13.4%	1,010,244	14.7%
College Age (18 to 24)	662	6.7%	697,610	10.2%
Young Adult (25 to 44)	1,258	12.8%	1,809,852	26.4%
Older Adult(45 to 64)	3,162	32.1%	1,864,742	27.2%
Older (65 plus)	3,153	32.1%	1,107,089	16.2%
Median Age	54.3		39.5	

Source: U.S. Census Bureau. American Community Survey 5-year estimates.

Population by Race and Hispanic Origin in 2019				
	Population	Pct. of Total	Massachusetts	Pct. of Total
Total	9,837	100%	6,850,553	100%
American Ind. or Alaskan Native Alone	0	0.0%	14,764	0.2%
Asian Alone	57	0.6%	452,436	6.6%
Black Alone	94	1.0%	522,357	7.6%
Native Hawaiian and Other Pac. Isl. Alone	34	0.3%	2,804	0.0%
White Alone	9,493	96.5%	5,348,538	78.1%
Two or More Race Groups	159	1.6%	223,035	3.3%
Hispanic or Latino				
Total Hispanic or Latino	216	2.2%	809,179	11.8%
Mexican	32	0.3%	48,777	0.7%
Cuban	13	0.1%	14,906	0.2%
Puerto Rican	121	1.2%	327,501	4.8%
Other	50	0.5%	417,995	6.1%

Source: U.S. Census Bureau. American Community Survey 5-year estimates.

Recent Housing Initiatives & Fair Housing

- White Rock Commons, Comprehensive permit neighborhood
 - 12 homes, 3 affordable, 70% local preference
 - Lottery managed by Housing Assistance Corporation (HAC). Fair housing outreach
 - 2 homes- 1 local preference; final home completed later, used original lottery
- Brewster Buy Down Program
 - Up to \$30,000 to purchase a home, requires a deed restriction
 - Approximately one buy down property a year, almost exclusively affordable resales
 - No local preference, fair housing outreach included with HAC resale efforts
- Community Housing Forum
 - Fair housing discussion and representation at every step from planning through forum
 - Broad & targeted outreach: beyond town entities, included diverse groups and social services
- Rental Assistance Program
- Habitat for Humanity Paul Hush Way

Brewster Rental Assistance Program

- Up to \$600/ month ongoing assistance or up to \$6,000 emergency Covid assistance
- HAC is managing agent
- Universal application for all available funding. Online application
- Fair housing outreach
- Request for Quotes: "Perform Affirmative Fair Housing Marketing of the program"
- Quarterly reports include affirmative marketing as well as assistance provided



Affirmative Marketing for Reporting Period:

Emails

February Digital HACbeat (Sent February 8, 2021 to 9,232 people, 28.2% open rate, 10.6% click rate) – Mention of WHRF and contacting HAC for assistance

February HACbeat (sent to roughly 1,400 people)

Alisa's Editorial: New Year, New Opportunities, and Renewed Resolve (mention of WHRF)

Help Available for households Struggling to Pay Rent, Mortgage

Press Releases/Media Outreach

Housing Assistance Eviction Moratorium Extension Press Release (sent January 11, 2021)

Housing Assistance Corporation Warns of Increasing Housing Insecurity Due to COVID Pandemic (sent on December 18, 2021)

Coverage:

12/18/20: HAC Warns of Increasing Housing Insecurity Due to Pandemic (Cape & Plymouth Business Media)

12/18/20: Cape Cod Broadcasting Media Coverage (Grady Culhane)

12/18/20: Cape Cod Radi Coverage of 12/18/20 press release

12/22/20: Fund Created to Help with Housing Needs (Bourne Enterprise)

12/23/20: Housing Assistance Corporation Warns of Rising Housing Insecurity as Pandemic Continues (CapeCod.com)

1/11/21: Gifts Bolster Workforce Housing Relief Fund (Falmouth Enterprise)

1/11/21: Donations aid HAC in helping renters (Cape Codder)

1/12/21: Cape Cod Radio Coverage of 1/11/21 press release

1/15/21: Corporate gifts bolster Housing Assistance Workforce Housing Relief Fund (Barnstable Patriot)

1/20/21: Fund aims to help struggling residents stave off eviction (Cape Cod Times)

2/21/21: Behind on your mortgage, rent? Here's how to get help (Cape Cod Times)

Habitat for Humanity Paul Hush Way



TOWN OF BREWSTER

Rationale for Local Need, October 2016

Habitat for Humanity, Paul Hush Way, Phase I, 6 Affordable Homes

Based on the Department of Housing and Community Development Subsidized Housing Inventory as of December 3, 2014 Brewster's percentage of affordable homes 3.1%. While not the least percentage of affordable housing out of the fifteen Cape Cod communities, it is not the most either. At 3.1%, Brewster is at the average. However, as the State goal is 10%, this average is a far cry from meeting goals and, most importantly, a far cry from meeting need.

In terms of homeownership opportunities, the inventory is even less robust. Of the 246 SHI affordable homes, only 43 are ownership opportunities. And of these 43, nine are owner-rehabilitation program units without perpetual deed restrictions. This means that less than 14% of the SHI represents true opportunities for homeownership. The most recent addition on homeownership was in 2008.

The 2009-2014 American Community Survey (US Census) Five Year Estimates lists median household income for the Town of Brewster at \$66,306. Using the Department of Housing and Community Development pricing calculator, with current interest rates, FY2017 Brewster tax rate and other current variables, a household earning the median income can afford a home costing \$219,500. The same Census data shows median home values for Brewster at \$440,500 leaving an affordability gap of \$221,000. Setting aside median pricing and simply looking at homes currently listed on the Multiple Listing Service (MLS), the lowest priced single family home in Brewster is listed at \$284,900. There are truly no affordable homeownership opportunities in the town.

Another metric for local need is seen through local school data. The Town of Brewster has two elementary schools, Eddy Elementary and Stony Brook Elementary Schools. Eddy Elementary has 22.4% of its student body classified as "economically disadvantaged" and Stony Brook Elementary has 25.1% classified as "economically disadvantaged".

The 2009-2014 American Community Survey Five Year Estimates also give town-specific data on Brewster-renting households. This survey tracks "Monthly Housing Cost as a Percentage of Household Income". For the Town of Brewster, over 31% of its renter-households pay more than 30% of their income for rent. This is an unaffordable rent. As renter-households would be candidates for affordable homeownership opportunities, this is another indication of local need.

Additionally, Brewster has a DHCD approved 2009 Housing Production Plan which offers ample demographic data demonstrating housing need. See <http://www.mass.gov/hcd/community/409-plan/housing-production-plan.html>.

Also of note is Brewster's percentage of minorities. Based on 2010 US Census data the racial make-up of Barnstable County is 92.7% white; for Brewster that percentage is 96.6%. While there is the possibility that a local preference alone might have a disparate effect on minority applicants, the local preference is not being presented on its own. To counterbalance any potential disparate effect, applicant pools will be balance for minority status if minorities are underrepresented in the local pool (the lottery structure presented in Affirmative Fair Housing Marketing Plan). This will prevent disparate effects, yet at the same time allow for a community that has contributed significant resources to offer some of the homes with a local preference to those who live, work or have children attending local schools.

Habitat for Humanity of Cape Cod respectfully request local preference for four of the six homes to be built at Paul Hush Way (formerly referred to as 620 Tubman Road), representing 66.66% local preference for this municipally supported Local Initiative Program project.

Paul Hush Way: 14 homes in 2 phases

- 70% Local Preference
- Affirmative fair housing marketing
- 157 total applicants (2 phases)
- 49 applicants qualified for drawing/lottery
- Both the lottery pool and home ownership build selection demonstrated a fair and diverse representation of qualified applicants



Upcoming Housing Opportunities

Brewster Woods

30 units of affordable rental housing, 1, 2 & 3 bedroom units, infrastructure construction underway. (\$550,000 CPA funding, \$1.68 million MassWorks grant, \$250,000 HOME funds) 70% Local preference requested. Marketing by Preservation of Affordable Housing & HAC.

Habitat for Humanity

Request for a Local Initiative Project (LIP), home ownership, 2 homes on Red Top Road. (CPA grant request of \$105,000) Requesting one home as veteran's preference.

Serenity Brewster

Former Wingate Skilled Rehabilitation & Assisted Living Center bought by Elevation Financial Group, rehabilitation into age 55+ rental housing. Expected 131 units with 20% affordable. Will have a Local Action Unit (LAU) application before the Select Board for the affordable units to be placed on the Subsidized Housing Inventory (SHI).

Millstone Community Housing Property

16+ acres of Town owned land designated for community housing. Currently the Housing Trust is in the initial process of developing a Request for Proposals (RFP) for the property.

QUESTIONS & DISCUSSION

How can Brewster affirmatively further fair housing?