

HOUSE No. 3606

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

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 adoption of the accompanying bill:

An Act relative to regional school districts and chapter 40B housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>

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By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3606) of Shawn Dooley, William L. Crocker, Jr. and Michael J. Soter relative to the pooling of housing inventories by cities, towns and regional school districts for the purposes of calculating percentages of restricted low or moderate income housing. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to regional school districts and chapter 40B housing.

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

1 The definition of “Consistent with local needs” in section 20 of chapter 40B of the
2 General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the
3 second sentence and inserting in place thereof the following sentence:- Requirements or
4 regulations shall be consistent with local needs when imposed by a board of zoning appeals after
5 comprehensive hearing in a city or town where: (1) low or moderate income housing exists
6 which is in excess of ten per cent of the housing units reported in the latest federal decennial
7 census of the city or town or on sites comprising one and one half per cent or more of the total
8 land area zoned for residential, commercial or industrial use; (2) such city or town is a member
9 of a regional school district established pursuant to section 15 of chapter 71, and low or moderate
10 housing exists in member cities and towns, which are in their total in excess of 10 per cent of the
11 housing units as reported in the latest federal decennial census; provided, that such percentage
12 shall be calculated by adding up the total number of low or moderate housing units of each

13 member city or town as the numerator and then divided by adding up the total number of housing
14 units of each member city or town as the denominator and then multiplying the resulting decimal
15 by 100; or (3) the application before the board would result in the commencement of
16 construction of such housing on sites comprising more than three tenths of one per cent of such
17 land area or ten acres, whichever is larger, in any one calendar year; provided, however, that land
18 area owned by the United States, the commonwealth or any political subdivision thereof, or any
19 public authority shall be excluded from the total land area referred to above when making such
20 determination of consistency with local needs.