

HOUSE No. 1079

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 Littleton affordable housing.

PETITION OF:

NAME:

James Arciero

DISTRICT/ADDRESS:

2nd Middlesex

HOUSE No. 1079

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 1079) of James Arciero (by vote of the town) relative to the affordable housing inventory in the town of Littleton. Housing. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3839 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to Littleton affordable 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 SECTION 1 Notwithstanding the provisions of sections 20 through 23 of chapter 40B
2 of the General Laws, or of any general or special law or Massachusetts regulation to the contrary,
3 the determination of whether the Town of Littleton has low or moderate income housing in
4 excess of ten per cent of the total housing units reported in the latest federal decennial census for
5 the Town of Littleton for purposes of section 20 of said chapter 40B, which determination is
6 reflected in a list known as the Subsidized Housing Inventory (“SHI”) as maintained by the
7 Massachusetts Department of Housing and Community Development or by a successor
8 department regardless of its name, shall be calculated as follows. As of the date an approval
9 decision is filed with the Littleton Town Clerk and through and including the expiration date of

10 the decision as provided by applicable statute or regulation and any extension of such decision
11 granted by action of the Town or the General Court, the SHI shall include all of the following:

12 1. Any affordable housing unit approved under any local zoning provision under
13 G.L. c.40A, including a so-called Local Initiative Program project, provided that the affordable
14 unit shall be required to have a permanent deed restriction to restrict occupancy or ownership of
15 the unit to an “Income Eligible Household” as presently defined under the Department’s
16 regulations at 760 CMR 56.02;

17 2. Any affordable Housing unit in a homeownership project approved under G.L.
18 c.40B or G.L. c.40R; and

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20 3. Any rental housing unit in a rental project approved under G.L. c.40B or G.L.
21 c.40R. Provided further that if any such approval decision is appealed, the unit or units at issue
22 shall continue to be listed on the SHI unless and until the approval decision is finally overturned
23 by a court of competent jurisdiction.

24 SECTION 2 This act shall apply to all housing units meeting the requirements of
25 section 1 wherein the relevant approval decision was filed with the Littleton Town Clerk on or
26 after January 1, 2000.

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28 SECTION 3 This act shall take effect upon its passage.