

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Geoff Diehl, (BY REQUEST)***

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*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 housing for persons age 55 and older.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sam Bourne</i>	<i>117 Pond ST, East Bridgewater, MA</i>	<i>3/22/2018</i>

**HOUSE . . . . . No.**

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By Mr. Diehl of Whitman (by request), a petition (subject to Joint Rule 12) of Sam Bourne relative to housing for persons age 55 and older. Housing.

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**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to housing for persons age 55 and older.

*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 6 of chapter 40A of the General Laws, as appearing in the 2016  
2 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place  
3 thereof the following 2 paragraphs:-

4           Any increase in area, frontage, width, yard, or depth requirements of a zoning ordinance  
5 or by-law shall not apply to a lot for single and 2 family residential use which at the time of  
6 recording or endorsement, whichever occurs sooner, conformed to then existing requirements  
7 and had less than the proposed requirement but at least 5,000 square feet of area and 50 feet of  
8 frontage. Any lot that was recorded and held in common ownership with any adjoining land and  
9 conformed to the existing zoning requirements when recorded shall continue to be a buildable  
10 lot, and shall be exempt from merger. Adjacent lots in common ownership shall continue to be  
11 separate and buildable lots. Any increase in area, frontage, width, yard or depth requirement of a  
12 zoning ordinance or by-law shall not apply to any lot recorded prior to said increase; provided,  
13 that the lot has at least of 15,000 square feet of area and 75 feet of frontage. Adjacent lots in

14 common ownership shall be treated as separate lots for the purposes of this chapter. This chapter  
15 shall permit adjacent lots in common ownership to be built upon and current zoning by-laws in  
16 effect in a city or town shall be amended to allow building upon such lots.

17 No zoning ordinance prohibit the construction of a single family home of not more than  
18 1,600 square feet and 2 bedrooms for individuals age 55 or older on a lot of not less than 15,000  
19 square feet. No zoning ordinance shall require cluster construction for the construction of homes  
20 for individuals age 55 or older.

21 SECTION 2. Section 21 of chapter 40B of the General Laws, as so appearing, is hereby  
22 amended by inserting after the word “housing”, in line 2, the following words:-

23 or single family housing for individuals age 55 and older on a lot of not less 15,000  
24 square feet.

25 SECTION 3. Section 5 of chapter 59 of the General Laws, as so appearing, is hereby  
26 amended by striking out clauses Forty-first, Forty-first A, Forty-first B, Forty-first C, Forty-first  
27 C½, Forty-first D and inserting in place thereof the following clause:-

28 Forty-first, Real property, to the amount equal to 50 per cent of the amount of taxes due,  
29 of a person who has reached their fifty-fifth birthday prior to the fiscal year for which an  
30 exemption is sought and occupied by said person as their domicile, or of a person who owns the  
31 same jointly with their spouse, either of whom has reached their fifty-fifth birthday prior to the  
32 fiscal year for which an exemption is sought and occupied by them as their domicile, or for a  
33 person who has reached their fifty-fifth birthday prior to the fiscal year for which an exemption  
34 is sought who owns the same jointly or as a tenant in common with a person not their spouse and  
35 occupied by the person as their domicile.