



**** PROPOSED BYLAW AMENDMENT ****

INCLUSIONARY HOUSING FEES-IN-LIEU-OF UNITS FACT SHEET

Planning Board is proposing to amend Section 250-27. Inclusionary Housing of the [Bolton's Zoning Bylaw](#) to allow Fees-In-Lieu-Of-Units to be secured through a municipal charges lien on real property. The [Warrant](#) for Annual Town Meeting includes an article for this bylaw amendment. Residents will have an opportunity to vote on this article by attending Annual Town Meeting on June 22, 2020.

HERE'S WHAT TO KNOW ABOUT THE PROPOSED BYLAW AMENDMENT...

What is the Inclusionary Housing Bylaw?

- The Inclusionary Housing Bylaw requires the development of affordable housing as part of a major residential subdivision creating eight (8) or more dwelling units. Affordable housing units are provided at a cost of no more than 30% of gross household income of households at or below 80% of the Metropolitan Statistical Area (MSA) median income as reported by the U.S. Department of Housing and Urban Development (HUD), including units listed under [MGL c. 40B, §§ 20 through 23](#) and the Commonwealth's Local Initiative Program (LIP).

What are Fees-In-Lieu-Of-Units?

- The applicant for development subject to this bylaw may choose to pay fees in lieu of the construction of affordable units to Bolton's Affordable Housing Trust Fund or other 501(c)(3) fund as designated by the Town.

What is a Lien?

- The Town may impose a "municipal charges lien" on real property for any local charge or fee that has not been paid by the due date, provided a separate vote at a town meeting is taken for each type of charge or fee; pursuant to [M.G.L. c. 40, § 58](#).

Why Place a Lien on a Development to Collect Fees-In-Lieu-of-Units?

- This article provides a level of protection that Fees-In-Lieu-Of-Units will be paid to the Town in the event that an applicant sells off all of the lots within a development or chooses to walk away from a project under construction.

Please contact the Bolton Planning Department with any questions.
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