

TOWN OF SHERBORN

HOUSING PRODUCTION PLAN

Prepared for:

Town of Sherborn
19 Washington Street
Sherborn, MA 01770

Contact: Gino Carlucci, Town Planner

Prepared by

Sherborn Planning Board

Adopted 6/16/22



TOWN OF SHERBORN
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June 17, 2022

Jennifer Maddox, Undersecretary
Department of Housing & Community Development
100 Cambridge Street, Suite 300 Boston, MA 02114

Attn: Phil DeMartino

Re: Sherborn Housing Production Plan

Dear Undersecretary Maddox:

On behalf of the Town of Sherborn, I am pleased to submit the attached updated Housing Production Plan for the Town of Sherborn. The Select Board vote to approve the HPP at its meeting of June 16, 2022.

This HPP is an update of our 2017 version. We are proud that we have implemented several of the recommendations from the 2017 plan. These include adoption of an inclusionary housing bylaw, expanding the options available for accessory apartments and the approval of a new open space subdivision bylaw. In addition, our ZBA has granted 3 comprehensive permits that have resulted in 44 units of new housing that have been constructed and occupied, including 11 affordable units as a result of 2 of the projects. The third project, a 120-unit apartment complex has not yet been constructed.

We very much appreciate the help and support we have received from DHCD. We look forward to hearing from you following your review of our updated HPP.

Sincerely,

Jeff Waldron, Chair

PLANNING BOARD



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

June 17, 2022

Jennifer Maddox, Undersecretary
Department of Housing & Community Development
100 Cambridge Street, Suite 300 Boston, MA 02114

Attn: Phil DeMartino

Re: Sherborn Housing Production Plan

Dear Undersecretary Maddox:

At its meeting of June 16, 2022, held jointly with the Select Board, the Planning Board voted unanimously to approve the 2022 Housing Production Plan for Sherborn.

This HPP is an update of our 2017 version. The Planning Board has spent the past several months overseeing the preparation of this 2022 update. The 2017 HPP provided a successful roadmap which the Planning Board followed through on several of the planning-related strategies.

Since the creation of the 2017 HPP the following have all been successfully adopted at Town Meeting: drafting an inclusionary housing bylaw, amendments to liberalize our accessory apartment bylaw and completing an entire overhaul of our open space subdivision bylaw.

Guided by the 2017 HPP the Planning Board was a driving partner with the Sherborn Affordable Housing Partnership to create a Municipal Affordable Housing Trust. We anticipate the Sherborn Affordable Housing Trust will be fundamental in helping to implement some of the recommendations in the 2022 HPP.

We very much appreciate the guidance provided by DHCD. We look forward to hearing from you following your review of our updated HPP.

Sincerely,

Addie Mae Weiss, Clerk

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ACKNOWLEDGEMENTS

This Housing Production Plan was created under the direction of the Sherborn Planning Board.

SELECT BOARD

Eric Johnson, Chair
Paul DeRensis
George Morrill
Marian Neutra
Jeff Waldron

PLANNING BOARD

Chris Owen, Chair
Will Dunham, Vice Chair
Addie Mae Weiss, Clerk
Frank Hoek
Rob Wolff
Elizabeth Wendorf, Associate

This document is an update of the [2017 Housing Production Plan](#), prepared under the direction of the Sherborn Housing Partnership and Planning Board with the assistance of JM Goldson. The Sherborn Housing Partnership Committee, with the support of Sherborn's Select Board, contracted with JM Goldson in 2016 kicking off a near year-long process of education forums, outreach, and workshops to engage all Town Boards and residents in the process of exploring equitable housing diversity and why it is important in Sherborn.

Since the publication of the resulting 2017 Housing Production Plan, several pipeline projects have been completed and the community has worked together to build a culture of support for affordable housing. The goals and implementation strategies in this update have been modified to acknowledge the continued need for housing diversity. To manage environmental and infrastructure constraints, Sherborn has been working on a potential agreement with adjacent communities to supply limited water and sewer service to support housing in Sherborn. The Comprehensive Needs Assessment has been brought up to date with current statistics.

The Planning Board and Select Board each voted to approve the updated plan at a joint meeting of June 16, 2022.

Acronyms

ACS	US Census Bureau's American Community Survey
AMI	Area Median Income
DHCD	MA Department of Housing and Community Development
MAPC	Metropolitan Area Planning Council
MOE	Margins of Error

Key Definitions

The following definitions are for key terms used throughout the document and are based on information from the U.S. Census Bureau, unless otherwise noted:

Comprehensive Permit – a local permit for the development of low- or moderate- income housing issued by the Zoning Board of Appeals pursuant to M.G.L. c.40B §§20-23 and 760 CMR 56.00.

Cost Burdened – Households who pay more than 30 percent of their income for housing.

Disability – The American Community Survey defines disability as including difficulties with hearing, vision, cognition, ambulation, self-care, and independent living.

Family - A family is a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family.

Household – A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household. The count of households excludes group quarters.

Median Age – The age which divides the population into two numerically equal groups; that is, half the people are younger than this age and half are older.

Median Income – Median income is the amount which divides the income distribution into two equal groups, half having incomes above the median, half having incomes below the median. The medians for households, families, and unrelated individuals are based on all households, families, and unrelated individuals, respectively. The medians for people are based on people 15 years old and over with income.

Millennials – The demographic cohort following Generation X. There are no precise dates when the generation starts and ends. Researchers and commentators use birth years ranging from the early 1980s to the early 2000s.

(en.wikipedia.org/wiki/millennials.)

Housing Unit - A housing unit is a house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied, or, if vacant, is intended for occupancy as separate living quarters.

Poverty – Following the Office of Management and Budget's (OMB's) Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to detect who is poor. If a family's total income is less than that family's threshold, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation with the Consumer Price Index (CPI-U). The official poverty definition counts money income before taxes and excludes capital gains and noncash benefits (such as public housing, Medicaid, and food stamps). Thresholds by year and households size are found at this link:

<https://www.census.gov/hhes/www/poverty/data/threshld/>.

Subsidized Housing Inventory – a list compiled by the MA Department of Housing and Community Development containing the count of low- and moderate-income housing units in each city and town.

CHAPTER 1

INTRODUCTION

The town of Sherborn, located eighteen miles southwest of Boston, is a country suburb with very low housing density and a modest town center. Sherborn is the smallest community in the immediate region, with a population of about 4,400 residents. Over the next 20 years the population of the surrounding communities of Framingham, Ashland, and Natick is projected to increase, while the population of Sherborn and other nearby small towns is projected to decrease (though in actuality Sherborn's population has continued to increase). Although Sherborn has preserved its historical and agricultural heritage and is home to several working farms, both agricultural and equine, it is predominantly a residential community. The town values its exceptional scenic views, open space, and natural resources.

Sherborn is working towards a united vision for its future. While virtually all agree the rural beauty of the town, its open space and its natural resources, including drinking water, should be preserved and protected, the community has not yet resolved a long-held tension about future growth. There are different opinions about where new growth should be. While some feel strongly the town center should be the focus of new growth to support economic goals, walkability and a more vibrant "downtown", financial and existing environmental constraints due to existing wells and septic systems in proximity make additional development in town center challenging. Distribution on the periphery provides better access to regional transportation, services, and infrastructure. Since 2017 the town has approved affordable housing development in both town center and on the periphery of town.

The goals and strategies incorporated in this plan are based on feedback gleaned from stakeholder interviews, public forums, guidance from the Housing Partnership and Planning Board, and the 2019 Master Plan.

The challenges of addressing housing needs in Sherborn, given the town's rural character, environmental constraints, reliance on private wells and septic systems, high land values, high property taxes, and divergent community visions, are real, but not insurmountable. The community is highly engaged with a long-tradition of volunteerism and has supported two locally-initiated affordable housing communities – Leland Farms and Woodhaven – and potential multi-family housing developments through its Elderly/Affordable zoning district. Additionally, Sherborn has approved a 48-unit development, Whitney Farms which is currently under construction. Other approved and completed projects include The Fields at Sherborn, a 32-unit (8 affordable) townhouse project and North Main Street Village, a 12-unit (3 affordable) single family condominium project.

The Town also approved Coolidge Crossing, a 120-unit (30 affordable) apartment complex made possible by potential use of municipal water from Framingham and sewer service from Natick. However, the approved plans for this project are now likely to change developer ownership, and intermunicipal agreements with Natick and Framingham as well as State and MWRA approvals are not yet in place, so it is currently on hold. Talks with those adjacent communities are continuing, and the project remains a high priority goal.

This plan is written in accordance with State guidelines to lay out a strategy to achieve the state's goal under MGL c.40B for 10 percent of Sherborn's housing stock to be counted on the state's Subsidized Housing Inventory as affordable to low/moderate-income households and to more broadly increase housing choice to support the long-term social vitality, economic diversity, and environmental health of Sherborn.

Housing Production Plan Purpose

This Housing Production Plan (HPP) is a state-recognized planning tool which, under certain circumstances, permits the town to influence the location, type, and pace of affordable housing development. This HPP establishes a strategic plan for production of affordable housing that is based upon a comprehensive housing needs assessment and provides a detailed analysis of development constraints due to infrastructure capacity, environmental constraints, protected open space, and regulatory barriers. This HPP has been prepared in accordance with the Massachusetts Department of Housing and Community Development (DHCD) requirements. The HPP describes how the town plans to create and preserve affordable housing that will help the town to meet local housing needs as well as to achieve the state's goal the at least 10 percent of year-round housing stock be affordable.

When an HPP is certified by DHCD, then a denial of a Comprehensive Permit will be upheld if such denial is consistent with local needs on the grounds that the town has increased its affordable housing stock sufficiently for the relevant period. The town would need to produce seven housing units that count on the Massachusetts Subsidized Housing Inventory (SHI) for a one-year certificate or fifteen SHI units for a two-year certificate.¹ *This changes to 8 and 16 units respectively when the 2020 US Census becomes the base.*

COMPREHENSIVE PERMIT DENIAL & APPEAL PROCEDURES

(a) If a Board considers that, in connection with an Application, a denial of the permit or the imposition of conditions or requirements would be consistent with local needs on the grounds that the Statutory Minima defined at 760 CMR 56.03(3)(b or c) have been satisfied or that one or more of the grounds set forth in 760 CMR 56.03(1) have been met, it must do so according to the following procedures. Within 15 days of the opening of the local hearing for the Comprehensive Permit, the Board shall provide written notice to the Applicant, with a copy to the Department, that it considers that a denial of the permit or the imposition of conditions or requirements would be consistent with local needs, the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation. If the Applicant wishes to challenge the Board's assertion, it must do so by providing written notice to the Department, with a copy to the Board, within 15 days of its receipt of the Board's notice, including any documentation to support its position. The Department shall thereupon review the materials provided by both parties and issue a decision within 30 days of its receipt of all materials. The Board shall have the burden of proving satisfaction of the grounds for asserting that a denial or approval with conditions would be consistent with local needs, provided, however, that any failure of the Department to issue a timely decision shall be deemed a determination in favor of the municipality. This procedure shall toll the requirement to terminate the hearing within 180 days.

(b) For purposes of this subsection 760 CMR 56.03(8), the total number of SHI Eligible Housing units in a municipality as of the date of a Project's application shall be deemed to include those in any prior Project for which a Comprehensive Permit had been issued by the Board or by the Committee, and which was at the time of the application for the second Project subject to legal appeal by a party other than the Board, subject however to the time limit for counting such units set forth at 760 CMR 56.03(2)(c).

(c) If either the Board or the Applicant wishes to appeal a decision issued by the Department pursuant to 760 CMR 56.03(8)(a), including one resulting from failure of the Department to issue a timely decision, that party shall file an interlocutory appeal with the Committee on an expedited basis, pursuant to 760 CMR 56.05(9)(c) and 56.06(7)(e)(11), within 20 days of its receipt of the decision, with a copy to the other party and to the Department. The Board's hearing of the Project shall thereupon be stayed until the conclusion of the appeal, at which time the Board's hearing shall proceed in accordance with 760 CMR 56.05. Any appeal to the courts of the Committee's ruling shall not be taken until after the Board has completed its hearing and the Committee has rendered a decision on any subsequent appeal.

¹ Department of Housing and Community Development. Spreadsheet of 0.5% and 1.0% Thresholds for Each Community Based on 2010 Census Information. 2010.

Under Massachusetts General Laws Chapter 40B Section 20-23 (MGL c.40B), the Commonwealth's goal is for all Massachusetts municipalities to have 10 percent of housing units affordable to low/moderate income households or affordable housing on at least 1.5 percent of total land area. As of December 2021, the state's Subsidized Housing Inventory (SHI) showed Sherborn with 188 affordable units, or 11.36% of Sherborn's year-round housing base of 1,479 units.² That report included 120 units at Coolidge Crossing, which is currently on hold, so the current percentage is 3.2%.

Report Organization

This Housing Production Plan is organized in six chapters as follows:

1. Chapter 1 provides an overview of the purpose of the plan, a community overview, description of planning methodology, and summary of housing needs, vision, goals, and strategies included in this plan.
2. Chapter 2 describes Sherborn's five-year goals and housing strategies, both regulatory and local initiatives, to achieve the plan's goals.
3. Chapter 3 provides a demographic profile of the community.
4. Chapter 4 provides an analysis of local housing conditions including housing supply, residential market indicators, and affordable housing characteristics.
5. Chapter 5 describes Sherborn's development constraints and limitations including environmental constraints, infrastructure capacity, and regulatory barriers.
6. Chapter 6 describes local and regional capacity and resources to create and preserve affordable housing in Sherborn.

Community Overview

Sherborn, Massachusetts, is on the southern edge of Middlesex County between three growing metropolitan areas: Boston is eighteen-miles northeast, Worcester is twenty-two miles west, and Providence is thirty miles south. Five miles long from north to south, and four miles from east to west, Sherborn has an area of about sixteen square miles, or 10,328 acres.

Three state numbered routes run through town (Routes 16, 27, & 115) and carry commuter and commercial traffic to the larger commercial centers outside of town. When driving into Sherborn, open fields lined with stonewalls and single-family homes define much of Sherborn's character. The absence of public water and public sewer has slowed development in Sherborn. Wetlands, ledge, and soil constraints throughout town have limited the placement of private septic systems and, therefore, private wells, which must be a safe distance apart to maintain the quality of Sherborn's water supply.

Since the time of European settlers in the mid-1600s, Sherborn has been a farming community. Although many soils proved too rocky for tilling, apple orchards thrived and supplied what was advertised in the late 19th century as the largest refined cider mill in the world.

Historically, Sherborn's residents have responded to the need for preserving open space. For example, when Shell Oil Company wanted to run a pipeline through Sherborn in the 1920s, Walter Channing, a town resident, negotiated an unusual arrangement whereby Shell Oil gave the land adjacent to the pipeline to the town. That land became the Town Forest, one of Sherborn's greatest assets. It also serves as part of the Bay Circuit Trail, Boston's outer "Emerald Necklace."

Sherborn experienced a substantial period of population growth and new housing construction from the mid 1950s to the early 1970s. In the 1950s, Main Street underwent a building boom as old homes were repaired, and empty lots were developed.

² Department of Housing and Community Development. *Chapter 40B Subsidized Housing Inventory*. December 20, 2021.

Planning Methodology

DATA SOURCES

The U.S. Census Bureau's Decennial Censuses of 2000, 2010 and 2020 and the 2016-2020 American Community Survey (ACS) were the primary sources of data for the needs assessment. The U.S. Census counts every resident in the United States by asking 10 questions, whereas the ACS provides estimates based on a sample of the population for more detailed information. It is important to be aware of the margins of error (MOE) attached to the ACS estimates because the estimate is based on a sample and not on a complete count, especially in smaller geographies, such as Sherborn. Data was also gathered from a variety of available sources including: The Warren Group; Massachusetts Department of Revenue; and the Massachusetts Department of Housing and Community Development. This report builds on past work, particularly the following plans and studies:

- Town of Sherborn. *Sherborn Master Plan*. 2019.
- Town of Sherborn. *Sherborn Open Space and Recreation Plan*. 2018.
- Town of Sherborn. *Sherborn Community Development Plan*. 2004
- Town of Sherborn. *Sherborn Town Center: At a Crossroads Draft Plan*. 2011.
- Town of Sherborn. *Sherborn Resident Survey*. 2014.
- MAPC Town Center Housing Study 2017

COMMUNITY ENGAGEMENT PROCESS

The Sherborn Housing Partnership held a public forum on March 7, 2017, facilitated by the consultant, to solicit community feedback on housing goals and prioritize implementation strategies to incorporate in this Plan. Since many of the views expressed at this forum have been longstanding views of Town residents and public meetings since then have indicated that there has been little change since 2017, it was decided that these views continue to be valid, and it was not necessary to repeat the forum.

The public forum took place at the Sherborn Community Center at 6:30 pm. Roughly seventy-five people attended, most of whom were Sherborn residents. The forum was interactive and informative, including an open house exercise, a presentation, and two group exercises where participants conversed in their individual tables. There were several means for participants to record their feedback including options for comments and dot voting on the three goals presented and space for comments discussed by the group on each of the eleven strategies presented.



Sherborn Public Forum, March 7, 2017

Several conclusions were drawn from the participants' responses on the open house exercise and within the group exercise. First, there is a high level of public interest among Sherborn residents in reaching the state's 10 percent goal or the incremental production goals to have greater local control over 40B comprehensive permit proposals. Participants felt strongly that the preservation of the community's character and natural surroundings is an important consideration when deciding on location of development, though there were mixed results on the development of the town center. Some advocated for a more vibrant town center while others questioned the feasibility of development in the town center, its economic vitality, and effect on traffic. Participants were concerned about the vulnerability of clean groundwater

resources. There was also concern regarding potential infrastructure development in town center — particularly water and sewer infrastructure — related to cost and uncertain consequences of development.

Summary of Key Housing Needs

Sherborn has a small population (about 4,400 residents according to the 2020 U.S. Census) that is older and wealthier than the average population in Middlesex County. Of the seven municipalities surrounding Sherborn, only Dover has a higher estimated median household income. Most Sherborn residents, about 96 percent of households own, and about four percent rent their home. There is very little diversity of housing choice in Sherborn – about 96 percent of the housing stock is single-family detached homes. And housing is expensive – roughly 91 percent of owner-occupied homes are valued at more than \$500,000, and 20% are valued at more than \$1,000,000. The median sales price for a single-family home in April 2022 was \$1,375,000. In addition, property taxes are very high in Sherborn. The average single-family tax bill in FY22 was \$16,715, which was higher than the seven towns in the region, including Dover (\$15,715), whereas Dover's average single-family value was nearly \$1.3M and Sherborn's was significantly lower at about \$880,000. The lowest average single-family tax bill in the region was Framingham (\$6,747).

Sherborn has housing needs not served by the existing housing stock. Based on the needs assessment, which considered demographic trends and housing conditions, as well as interviews with a variety of community leaders, residents, and local professionals in real estate and development, the key housing needs in Sherborn are:

- A more diverse housing stock, including multi-family homes and barrier-free housing, with reduced maintenance requirements, at all market levels to help seniors stay in town
- Rental apartments, including accessory apartments and multi-family homes, at all market levels including for households with up to 80 percent of the area median income
- More affordable homeownership options including small cottage-style homes in cluster developments, condominiums, and townhouses.

Summary of Goals

Based on the assessment of housing needs and the town's desire to achieve the state's 10 percent goal under MGL c. 40B in a way that preserves and reinforces the environmental, historic, agricultural, and scenic character of the community, this plan establishes the following three five-year housing goals to guide the town's housing initiatives. These goals are consistent with the draft General Plan's housing goals.

Goal 1: Actively manage and guide development of affordable homes in a manner that:

- a. Maximizes local control
- b. Minimizes adverse impacts
- c. Incrementally achieves the state's 10 percent goal

Provide more affordable housing options for low/moderate income households with up to 80 percent of the area median income that will count on the state's Subsidized Housing Inventory (SHI) as well as income tiered housing options for middle-income households.

Goal 2: Increase Appropriately Scaled Housing Options

- a. Increase residential options in Town Center
- b. Enable more diverse residential options throughout Sherborn

Goal 3: Ensure Residential Development Respects Semi-Rural Character and Critical Natural Resources.

⁴ See discussion regarding numerical goals in context of decennial census.

Summary of Strategies

Guided by the three housing goals listed above, the Housing Partnership developed several strategies from various sources. The latter includes community forums, past studies, interviews, and multiple Town Boards. These include local initiatives that deal with the use of town resources as well as recommendations for regulatory changes that primarily suggest possible amendments to the town's zoning bylaw, local Board of Health and Conservation Commission regulations. They are described in detail in Chapter 2.

1. Foster locally-initiated development, learning from past local initiatives including Woodhaven and Leland Farms developments, by offering town-owned or acquired real property for appropriate development.
2. Consider the costs and benefits of using a private local non-profit and/or municipal housing entity to foster creation of locally-initiated, small scale affordable or mixed-income residential development.
3. Explore possible creation of a well-defined downtown water district and/or town center sewer infrastructure, to enable new homes and mixed-use buildings in the town center area.
4. Foster public-private conservation-based affordable housing development initiatives with the Sherborn Rural Land Foundation to acquire land for a combination of permanent open space and small-scale affordable housing development.
5. Foster regional cooperation and seek state approval to extend public water and/or sewer infrastructure from Framingham and Natick to support specific town-approved affordable housing development within a small water district near those town boundaries.
6. Work cooperatively with development entities to help shape existing and anticipated development proposals to best align with this plan and the 2019 Master Plan guiding principles and goals.
7. Explore zoning amendments to allow mixed-use and small-scale multi-family housing to encourage development of new homes and mixed-use buildings in the town center area.
8. Review the EA zoning provisions, and determine impacts of recent amendments that allow a mix of senior and/or affordable housing, and determine whether additional revisions are warranted.
9. Review the recently passed inclusionary zoning bylaw for any necessary adjustments.
10. Review the impact of the recently-amended accessory apartment bylaw on housing diversity to determine its effectiveness in expanding housing options and allowing more flexibility while ensuring that the single-family character of the property is maintained.
11. Review the Open Space Subdivision bylaw and consider revisions to encourage moderately sized and priced housing in cluster developments while preserving environmental health and scenic vistas.
12. Encourage the Board of Health and Conservation Commission to investigate changes to local regulations and practices to facilitate cluster or multifamily development.

CHAPTER 2

HOUSING GOALS & STRATEGIES

Five-Year Goals

The following housing goals are based on the 2017 Housing Production Plan and the 2019 Master Plan goals, which were further vetted at public meetings of the Planning Board throughout fall 2021 into spring 2022 and confirmed by Planning Board and Select Board on June 16, 2022. The goals are intended to describe the community's intentions to address its housing needs in a way that also preserves the special characteristics of the community's natural and built environment.

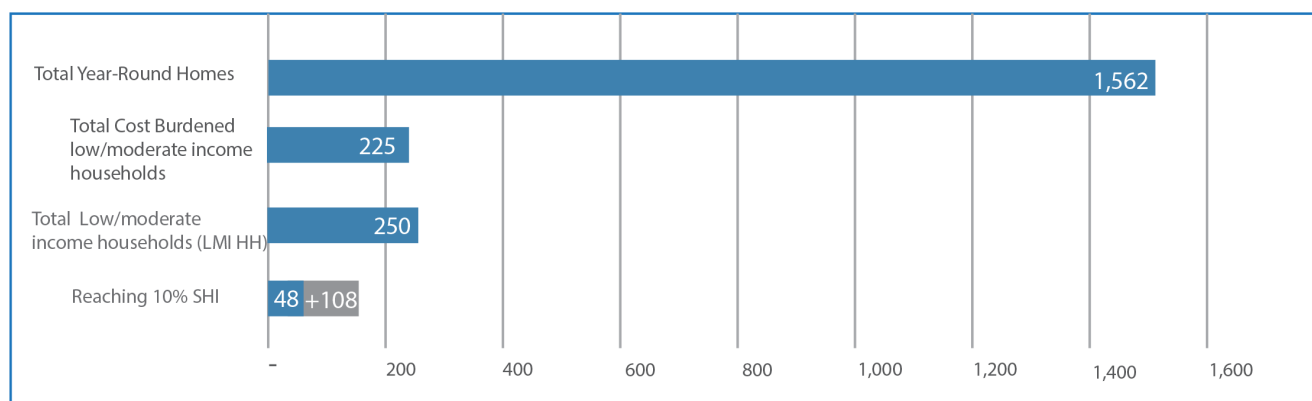
Since the creation of the 2017 Housing Production Plan, Sherborn Town Boards, Committees, and residents' awareness has expanded to build a culture of support for diverse affordable housing options. A farming culture and long prevalent blue-collar identity of Sherborn with fire service members, EMTs, resident plumbers, carpenters, electricians, landscapers, chefs, servers, teachers, nurses and small business owners make Sherborn the community we enjoy. Encouraging projects with income tiered access to address different needs will help the Sherborn community keep and continue to attract the vital members who make our town a wonderful place to live.

GOAL 1: MANAGE & GUIDE RESIDENTIAL DEVELOPMENT

Actively manage and guide development of affordable homes in a manner that:

- Maximizes local control over placement and design of new developments.
- Minimizes adverse impacts on the environment, in particular Sherborn's limited groundwater resources.
- Achieves the state's 10 percent goal while preserving the semi-rural character of the town.

Provide more income tiered housing options for low/moderate income households with up to 80 percent of the area median income that will count on the state's Subsidized Housing Inventory (SHI) as well as middle-income households with incomes up to the area median income.



108 Additional SHI Homes Needed to Reach 10% (based on 2020 U.S. Census Housing Units)

Strive to create at least 108 additional affordable homes over the next 5-7 years through alternate strategies including a rental apartment complex served by water & sewer infrastructure from neighboring towns, small multifamily developments and/or small clusters of owner-occupied homes. The first approach would fulfill our goal most efficiently, while the latter approaches would require a minimum of eight homes annually that count on the SHI towards the state's 10 percent goal per MGL c.40B over the next five years. At this rate of production, the Town of Sherborn would achieve the 10 percent goal by 2036, assuming no change in the total housing stock (which, of course, is not possible).⁵

⁵ Note: The absolute numerical goal is likely to change based on the updated total year-round units per the 2030 U.S. Census.

GOAL 2: INCREASE APPROPRIATELY-SCALED HOUSING OPTIONS

Increase the diversity of residential options in Sherborn to address needs of residents of different ages, housing needs, and economic resources while ensuring new homes are sensitive in scale, character, and design to existing neighborhoods. Housing options should include homes appropriate for and affordable to low/moderate-income households, particularly seniors, young professionals, families, and individuals with disabilities.

- Increase residential options in Town Center
- Enable more diverse residential options throughout Sherborn, including multiunit developments convenient to transportation and amenities in adjacent towns.



Visualization of Sherborn Town Center Possible Mixed-Use Development (credit: Metropolitan Area Planning Council, 2008)

GOAL 3: ENSURE RESIDENTIAL DEVELOPMENT RESPECTS SEMI-RURAL CHARACTER, ENVIRONMENTAL HEALTH, AND CLIMATE RESILIENCE

Preserve Sherborn's natural character by ensuring that the location, scale, and design of new homes is consistent with preservation of the Town's semi-rural character, scenic open space, clean groundwater resources, environmental health, and resilience in the face of climate change.

**Sherborn character defined by
rural features, scenic views, natural resources**



Strategies

To achieve the community's five-year affordable housing goals will require the town's focused effort to implement a variety of local initiative strategies and local regulatory strategies. The strategies are presented as a package of strategies rather than a menu of choices because they are designed to work together to be most effective. They are like pieces of a puzzle that, when assembled and embraced holistically, can help the community accomplish its goals.

This section includes descriptions of local initiative strategies, local regulatory strategies, and an action plan. The strategies are listed immediately below and discussed in more detail on the following pages:

Local Initiative Strategies

1. Foster locally-initiated development while learning from past local initiatives including the Woodhaven and Leland Farms developments by offering town-owned or acquired real property for appropriate development.
2. Consider the costs and benefits of using a private local non-profit and/or a municipal housing entity to foster creation of locally-initiated, small scale affordable or mixed-income residential development.
3. Explore possible creation of a well-defined downtown water district and/or town center sewer infrastructure, to enable new homes and mixed-use buildings in the town center area.
4. Foster public-private conservation-based affordable housing development initiatives with the Sherborn Rural Land Foundation to acquire land for a combination of permanent open space and small-scale affordable housing development.
5. Foster regional cooperation and seek state approval to extend public water and/or sewer infrastructure from Framingham and Natick to support specific town-approved affordable housing development within a small water district near those town boundaries.
6. Work cooperatively with development entities to help shape existing and anticipated development proposals to best align with this plan and the 2019 Master plan guiding principles and goals.

Regulatory Strategies

7. Explore zoning amendments to allow mixed-use and small-scale multi-family to encourage housing development of new housing units and mixed-use buildings in the town center area.
8. Review the EA zoning provisions and determine impacts of recent amendments that allow a mix of senior and/or affordable housing and determine whether additional revisions are warranted.
9. Review the recently passed inclusionary zoning bylaw for any necessary adjustments.
10. Review the impact of the recently amended accessory apartment bylaw on housing diversity to determine its effectiveness in expanding housing options and allowing more flexibility while ensuring that the single-family character of the property is maintained.
11. Review the 2021 Open Space Subdivision bylaw updates to determine effectiveness in encouraging moderately sized and priced housing in cluster developments while preserving environmental health and scenic vistas.
12. Encourage the Board of Health and Conservation Commission to investigate changes to local regulations and practices which might further facilitate cluster or multifamily development.

LOCAL INITIATIVE STRATEGIES

Local initiative strategies refer to recommendations that the town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature - they deal with allocation of town resources including staff time, funding, and property.

1. Foster locally-initiated development, learning from past local initiatives including Woodhaven and Leland developments, by offering town-owned or acquired real property for appropriate development.

Offering low/no cost land for development to developers with a track record of context-sensitive affordable housing developments can provide a significant subsidy to help make an affordable housing development feasible. The town could explore offering available town-owned or newly-acquired properties for development of affordable homes – as it did for the Woodhaven and Leland Farms affordable housing initiatives. Opportunities for property acquisition could be tied with Strategy #4 to acquire property with the Sherborn Rural Land Foundation.



Leland Farms, 2017



Woodhaven, 2017

Property acquisition could also involve the borrowing capacity of the recently created Sherborn Affordable Housing Trust (see strategy 2). Such developments could include 100 percent affordable units for low/moderate-income (LMI) households or a mix of units affordable to LMI and middle-income households as well as market-rate units. Creating market-rate units in a development with affordable units can help make developments economically feasible by generating cross subsidies that help to offset the costs of providing affordable units. This can reduce the need for additional public or private subsidies.⁶ The permitting mechanism for such a development would likely be through a comprehensive permit under MGL c. 40B, unless the town adopts zoning amendments that would accommodate such a development.

Local initiatives on municipally-owned property can provide the town enhanced local control over the design, density, and other characteristics of a development. For example, through a local initiative project the town could require additional low impact development methods, greater energy efficiency, and universal design standards beyond the minimum accessibility requirements for multifamily housing.⁷

⁶ Subsidies for affordable housing developments could include local, state, federal, and private funding. For example, locally, a town can allocate Municipal Affordable Housing Trust funds, CPA funds (which Sherborn had not adopted), or general funds. State funds could include the Affordable Housing Trust Fund, Facilities Consolidation Fund (for rental housing for special needs populations), Housing Innovations Fund (for rental housing for special needs populations), and Housing Stabilization Fund. Federal funds could include Low Income Housing Tax Credit Program (a tax credit subsidy). Private funds could include Federal Home Loan Bank, Community Reinvestment Act, Ford Foundation.

To implement this strategy, the town (or other housing entity, as described below) would issue a Request for Proposals (RFP) for the disposition of municipal or trust property (per MGL c.30B municipal property disposition requirements) that specifies a minimum number (or percentage) of units that should be affordable and the target household income level. The minimum affordability requirement should be established by testing development feasibility – by estimating how many units the site can yield per environmental and other site development constraints and how the affordable minimum may impact project feasibility and the need for project subsidies. In crafting the density and affordability requirements for the RFP, the town should seek assistance from a professional with development expertise to help ensure that the RFP results in a successful development initiative.

The town/trust may sell the property under town/trust ownership or retain ownership and lease it to a developer through a long-term ground lease. With a ground lease arrangement, the developer builds, owns, and manages the building but the town can establish certain criteria for the project that become restrictions and provisions in the ground lease. This ownership structure allows the town to create housing without having to administer the construction or management of the housing itself and provides strong assurances for long-term affordability of the units.

⁷ Visitability and Universal Design Standards would go above and beyond the minimum accessibility requirements of the Massachusetts Architectural Accessibility regulation (CMR 521), Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and the Architectural Barriers Act of 1968. Note, these requirements are complex, however for some basic examples per 521 CMR, townhouses and single-family houses are exempt from accessibility requirements and only 5% of units must be accessible in multifamily buildings with over 20 rental units. Visitability standards can be applied in addition to these minimum requirements (including for townhouses and single-family houses) by requiring three characteristics: 1) a zero-step entrance; 2) wider interior doors, and a half-bathroom on the ground floor. Universal Design is another way municipalities and developers can increase accessible housing and encourages design of products and environments to be usable by all people to the greatest extent possible without need for adaption. (Source: Metropolitan Area Planning Council, <http://www.mapc.org/VisibilityHousingToolkit>, accessed 5/15/17.)

⁸ The IWPA contains a buffer for both approved community and non-community groundwater sources that do not have an approved Zone II Wellhead Protection Area. The Zone I designation provides a protective radius around a public water supply well or wellfield.

⁹ Property screened via MassGIS for the following physical/regulatory constraints, which are not indicated for this property: Natural Heritage and Endangered Species Program (NHESP) Eco Region, Estimated Habitat, Natural Communities, Priority Habitat of Rare Species; certified and potential vernal pools; Scenic Landscape Inventory; MA Department of Environmental Protection (DEP) Activity and Use Limitation (AUL) Sites; aquifers; DEP Tier Classified 21E sites; FEMA Flood Hazard areas; wetlands and Title 5 buffers; surface water protection area; and Drinking Water Protection Zone II.

One example of a town-owned site that may merit further investigation regarding development feasibility is 23 Washington Street (the former Kostic property), abutting the west side of Town Hall. Since 2017 infrastructure built to support the Town Campus (Town Hall, Police Station and Library) have further constrained this parcel.

23 Washington Street

- +/- 2.17 acres; vacant; frontage on Washington Street (Route 16) and Sawin Street
- Per MassGIS data, the property entirely within an Interim Wellhead Protection Area (IWPA) and partially within Zone I Wellhead Protection Area. The MA Department of Environmental Protection has adopted the IWPA as the primary protected recharge area for public water supply (PWS) groundwater sources.⁸



23 Washington Street Property, MassGIS, accessed April 17, 2017



Zone I Wellhead Protection Area, MassGIS, accessed April 17, 2017

2. Consider the costs and benefits of using a private local non-profit and/or municipal housing entity to foster creation of locally-initiated, small scale affordable or mixed-income residential development.

Sherborn now has a Municipal Affordable Housing Trust (MAHT) in place, created through MGL c.44 s.55C. However, to date, it has not been funded. The new inclusionary zoning bylaw is a potential source of funds. Either on its own with a future funding source or partnering with a private non-profit trust or corporation can expand the town's capacity to spearhead local initiative projects utilizing town-owned or acquired property, as described in Strategy #1. The MAHT has the power to acquire, sell, lease, and improve property for the purposes of creating and preserving affordable housing. There are multiple factors to consider regarding the costs and benefits of working on its own or in conjunction with a non-profit trust. The town should consider these factors to determine how best to use these forms of housing entities to help the town effectively pursue further local initiatives.

MAHT

As enabled by MGL c.44 s.55C, Sherborn Town Meeting voted to create a Municipal Affordable Housing Trust in 2019 that has the power to create and preserve affordable housing. The Select Board has appointed members to a Board of Trustees to oversee the use of MAHT funds and it has the power to acquire, sell, lease, and improve property, with the consent of the Select Board, to allocate trust funds for these purposes. Trust funds can include allocations of the town's general funds, private donations, revenue from sale of property interest, Inclusionary Zoning payments, and Community Preservation Act funds, among other sources. Note, however, that Sherborn has not adopted the Community Preservation Act (CPA). There are many MAHTs across the state; however most utilize CPA funds as the primary funding source. An MAHT is subject to the provisions of state procurement and prevailing wage laws including MGL c.30B.

Non-Profit Affordable Housing Trust or Housing Corporation

A non-profit housing trust or housing corporation is formed as a 501c (3) non-profit charitable corporation and run by a private Board of Directors to engage in fundraising and the creation/preservation of affordable housing. One benefit of this model is that it enables tax benefits for charitable donations and could also accept town funds.

An active example of this type of non-profit housing trust is the Concord Housing Development Corporation (CHDC) in Concord, MA. CHDC is an interesting model of such a trust. It was established by a special act of the Massachusetts Legislature in 2006 and its bylaws were approved by the Board of Selectmen. It also has IRS approval as a 501c (3) non-profit charitable corporation. The CHDC is charged with facilitating the preservation and creation of affordable housing on behalf of the town and works closely with town boards, committees, and departments to support the town's goal of housing diversity.

In 2019 the Sherborn Housing Partnership and Planning Board with support of the Select Board engaged the services of JM Goldson to further explore the strategy of a private non-profit affordable housing trust or housing corporation. After much review it was determined a Municipal Affordable Housing Trust was the best option for Sherborn to ensure increasing regulatory compliance with procurement laws, prevailing wage rates, and liability coverage for volunteers serving. The Sherborn Affordable Housing Trust was approved at the 2020 Town Meeting.

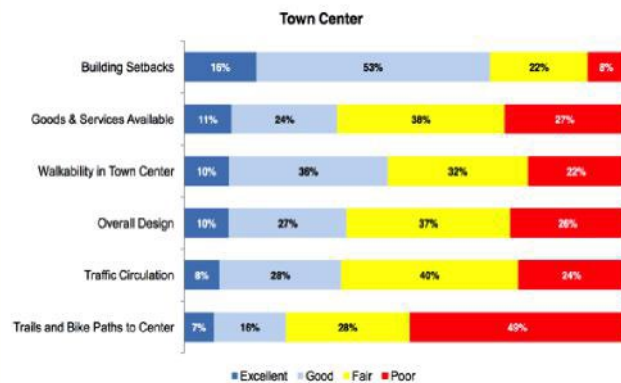
From North Main Street, looking NW



Metropolitan Area Planning Council, *Visualization of Sherborn Town Center*

Satisfaction 2014

- There is significant amount of fair and poor rating of the Town Center characteristics.
- There is particular dissatisfaction with non-driving access to the Town Center.



Community survey conducted as part of the 2019 Master Plan preparation, 2014

3. Explore possible creation of a well-defined downtown water district and/or town center sewer infrastructure to enable new homes and mixed-use buildings in the town center area.

Sherborn's town center consists of two sections: North Village and South Village.¹⁰ North Village is located along North Main Street between Eliot Street and the state-owned railroad tracks including 18 North Main Street adjacent to the tracks. It includes the primary business district of the town. South Village, most of which is part of the Sherborn Center Local Historic District, includes the area south of the tracks including South Main Street to St. Theresa's Church and Washington Street to the Town Campus area.

This recommendation would likely have its greatest impact in supporting development in North Village due to preservation goals in South Village.

Residents of Sherborn have discussed potential improvements to town center for over half a century, as documented in the 1958 town Master Plan. More recently, in preparing the town's 2019 Master Plan, a community survey demonstrated there are still mixed feelings about town center, with a significant amount of fair and poor rating of town center characteristics including significant dissatisfaction indicated for the goods and services available, walkability, overall design, traffic circulation, and availability of trails/bike paths to the town center.

Water quality in the town center area is more compromised compared to other areas of town, and some wells in the town center require the use of bottled water or installation of treatment systems to meet drinking water standards. This strategy would entail the town revisiting its consideration of providing public water and/or sewer infrastructure in the town center area.

The town considered creating a town center water district about a decade ago (2007) and produced a report regarding this consideration.¹¹ The report documented the size and cost of a water system that would be required to service the area. As a follow-up to that report, the town conducted testing at the Price Woodlands property, which was acquired in 1997 for conservation and water supply purposes.¹² The testing resulted in the

¹⁰ Draft *Sherborn Town Center: At a Crossroads*, 2011.

¹¹ *Final Report of the Town Center Water District Workgroup*, 2007.

¹² . The Price Woodlands is conservation land and a well would likely require permitting by the Conservation Commission under the Massachusetts Wetlands Protection Act and/or the Sherborn General Wetlands Bylaw.

positive finding that sufficient capacity could likely be achieved; however, iron and manganese exceeded threshold levels. A later report found that pH, manganese, and sodium were slightly above thresholds, but the former two can be easily treated. Updated pfas standards and findings in area groundwater further complicate the Price Woodlands water source.

Soil testing at Jameson Field was conducted in 2020. The testing resulted in a preliminary finding that the soil is suitable to serve as a leaching facility for a wastewater treatment plant. However, its capacity is not yet known, and significant additional testing would be required before pursuing this option.

4. Foster public-private conservation-based affordable housing development initiatives with the Sherborn Rural Land Foundation to acquire land for a combination of permanent open space and small-scale affordable housing development.

This strategy suggests that the town (or housing trust per Strategy #2) work closely with the Sherborn Rural Land Foundation to jointly purchase or negotiate donated private property or bargain sales for development of affordable housing and land conservation. The Sherborn Rural Land Foundation private non-profit was founded in 1974 to acquire and preserve land in or around Sherborn and acquires buildings with historic or architectural significance. Conservation-based affordable housing model provides the “opportunity to develop housing for low- and moderate-income residents and protect natural and working landscapes.”¹³

For decades, proponents of land conservation and affordable housing have rarely seen the common ground they might occupy. Instead of collaborating, principals from these two interests competed over development proposals and scarce funding. Thankfully, new approaches are helping communities move away from an “us-versus-them” debate and toward recognition of the connections, and even the benefits, of integrating land conservation and development.¹⁴

As an example of such a partnership, the Martha’s Vineyard Land Bank is open to encouraging these types of partnership to further both their core mission of land conservation as well as affordable housing and has adopted an affordable housing policy, as follows:

Throughout much of its recent history, Martha’s Vineyard Island has experienced a shortage of affordable, year-round housing. It represents a public policy dilemma of significant proportions. A variety of organizations has been chartered to plan for and develop affordable housing units for the Vineyard. The land bank has assisted these groups in the past . . . and wishes to continue to do so, even through the land bank performs an unrelated public duty and exerts no discernible impact on the unavailability of such housing.

Briechele, Kendra J., The Conservation Fund, *Conservation-Based Affordable Housing*, no date.

¹⁴ Ibid.

5. Foster regional cooperation to extend public water and/or sewer service from neighboring towns to support specific town-approved affordable housing development near those town boundaries.

The town is playing an active role in fostering cooperation with other towns to extend MWRA or other municipal water/sewer connections to support development of affordable housing on properties near Sherborn's town borders. Exploration would include legal guidance to address concern of hostile leveraging of such infrastructure extensions by other properties. Sherborn currently has one multifamily development, Sherborn Meadows, containing 20 naturally affordable condos built on the Framingham Town Line by Sunshine Farm on Kendall Avenue and utilizing Town of Framingham Water.

Surrounding Towns	Public Water	Public Sewer
Ashland	Yes	Yes
Dover	Town Center Water District	No
Framingham	Yes	Yes
Holliston	Yes (95% of residents/properties)	No
Medfield	Yes (most of town)	Yes (1/3 of residents) with capacity for expansion
Millis	Yes	Yes
Natick	Yes	Yes
Source: MassGIS; Town of Ashland www.ashlandmass.com ; Dover Open Space and Recreation Plan, 2011; Holliston Open Space and Recreation Plan, 2013; Medfield Draft Open Space and Recreation Plan, 2016; Town of Natick www.natickma.gov		

6. Work cooperatively with development entities to help shape existing and anticipated development proposals to best align with this plan and the 2019 Master Plan guiding principles and goals.

This plan sets out goals for production of housing, including affordable housing, in Sherborn. The 2019 Master Plan sets out the town's guiding principles and goals to preserve Sherborn's most valued environmental assets while working toward positive change, including greater diversity of housing options. The town should work cooperatively with development entities to ensure that future residential developments contribute to these goals and principles. The Housing Trustees can play a vital role to advocate for developments that will help further the town's development and preservation goals.

REGULATORY STRATEGIES

Regulatory strategies refer to recommendations that entail amendments to the local zoning bylaws or other local development regulations to help encourage development of more housing options including affordable housing.

7. Explore zoning amendments to allow mixed-use and small-scale multi-family to encourage development of new homes and mixed-use buildings in the town center area.



Sherborn Zoning Districts

This strategy is closely tied with Strategy #3 regarding public water infrastructure. It suggests the town explore zoning amendments to create a more vibrant, mixed-use town center with appropriately scaled, located, and designed mixed-use buildings and small scale-scale multi-family homes. The town center area currently includes multiple zoning districts including the Business G (general), Business P (professional, Residence A, and Residence EA (Elderly and Affordable) districts. Only the EA district permits multi-family by special permit and the properties zoned as EA in the town center area are already developed as age-restricted housing.

As recommended in past planning studies, the town could consider adopting a cohesive zoning district for the town center area that permits mixed-use commercial/office/residential development. As such, the town could consider adopting a village district to reinforce town center vibrancy and the community vision for this area. Such a district should have special dimensional regulations and design standards to reinforce the historic development pattern. This consideration could include options for complying with new Section 3A of MGL 40A regarding MBTA Communities.

8. Review the EA zoning provisions to determine the impacts of recent amendments to allow a mix of senior and/or affordable housing

The town created the EA (Elderly and Affordable) district in 1991 and has amended it since to clarify intent. The current bylaw (Section 5.6.5(c)) allows either age-restricted or affordable, or both, and requires at least 25 percent of the units be affordable. Furthermore, the bylaw requires a minimum lot size of six acres, restricts density to no more than four units per acre and eight units per building, and restricts units to no more than three bedrooms. The town could consider further amending the EA district provisions in a few ways:

- providing more development flexibility regarding underlying density, units per building, and bedrooms per unit
- provide inclusionary zoning options including voluntary density bonuses for developments that include more than the minimum number of affordable units
- incorporate design criteria in the zoning provisions that ensure sensitive design and site planning to harmonize with the character of the immediate neighborhood and the broader community character – such design criteria could encourage design of small farmplex-type development

With these changes to the EA provisions, the town may consider rezoning certain areas of town proactively to provide more attractive development alternatives than under MGL c.40B.

9. Review the recently passed inclusionary zoning bylaw for any necessary adjustments.

The town may also consider amending the inclusionary zoning bylaw in addition to amendments to the EA zoning provisions. The purpose of inclusionary zoning provisions is to ensure that production of affordable housing units keeps pace with construction of new dwelling units. Many variations of inclusionary zoning provisions have been adopted in Massachusetts communities with varying levels of success at producing affordable units. It will be important to examine the most current information regarding best practices for Inclusionary Zoning provisions and to customize a Sherborn bylaw to ensure successful outcome. The Town should consider allowing options to enhance the effectiveness of the Housing Trust (discussed earlier).

The Case for Accessory Apartments

The average number of people per household has decreased significantly over the last decades. Yet, new homes continue to be built, suggesting that there is increased capacity in the existing housing stock. This has occurred while the value of homes and the resulting tax burden continues to rise.

Homeowners are often forced to sell a house that is too big for their needs, especially for fixed income, often older, residents. This issue further exacerbates the already existing scarcity of affordable housing options, and the land consumption and new infrastructure required for a standard single-family subdivision.

Accessory apartments can provide owners the additional income necessary to maintain a home when the structure becomes more than they need or can afford.

A household may wish to provide a new self-contained unit within their property to receive additional income, provide social and personal support to a family member, or obtain greater security. Additional income can further have the benefit of additional income for home improvements, such as accessibility and safety improvements to facilitate aging in place.

New, young workers in a community may decide that home ownership is a longer-term goal, and a smaller rental apartment is more appropriate now. Accessory units can provide housing for single, independent workers who will then contribute to the local labor force.

Source: Massachusetts Smart Growth Smart Energy Toolkit: Accessory Dwelling Units.

http://www.mass.gov/envir/smart_growth_toolkit/pages/mod-ww.html. Accessed 1/19/15.

10. Review applications for accessory apartments submitted since the bylaw was amended to allow rental apartments, to determine whether this change has increased housing diversity.

The current zoning provisions have expanded the options for accessory apartments to allow rental apartments. The goal was to provide more diverse housing options while ensuring that the single-family character of the property is maintained. The impact of the revisions should be reviewed. It will be especially important to revisit these provisions to help provide greater opportunities for aging in place and aging in community (see sidebar regarding “The Case for Accessory Apartments”). While not counted as SHI units, accessory apartments tend to be more naturally affordable.

Section 3.2.27 in Sherborn’s Zoning bylaw lays out how accessory apartments might count as SHI units under Mass General Law 40B every two years. The bylaw and regulatory compliance requirements are burdensome for an individual homeowner maintaining a single SHI unit. The outcome being it rare for Accessory Apartments to be counted as SHI units despite many being on par with the prevailing SHI rental rates.

11. Review the Open Space Subdivision bylaw to consider revisions to encourage moderately sized and priced housing in cluster developments while preserving environmental health and scenic vistas.

The Open Space Subdivision bylaw could encourage smaller house lots and/or cluster developments with a greater percentage of conserved open space; enable duplex housing units and possibly small multi-family developments; and provide density bonus as an incentive for inclusion of affordable homes.

When cluster development options or requirements are introduced and based upon the underlying conventional zoning, the results have proven unsatisfactory. While a more aesthetically pleasing way to subdivide land that affords marginally better protection for wetlands, the remainder lands preserved by most cluster development are inadequate to fulfill their resource protection purposes, whether to sustain farming or forestry or protect habitats, scenic views, or water supplies. Reliance on the underlying zoning for purposes of determining allowable lot counts often yields too many housing units, an insufficient amount of protected open land, and layouts that destroy the natural resource and environmental value of the remaining land.¹⁵

One lower - density technique, inspired by some successful out-of-state models and dubbed by the authors as Natural Resource Protection Zoning (NRPZ), has already gained a toehold in Massachusetts. Versions recently have passed overwhelmingly at town meetings in Shutesbury, Brewster, and Wendell, and similar bylaws are under development in a several other towns.

NRPZ borrows on successful programs used elsewhere to accomplish what its name suggests by linking meaningful land conservation to land development.¹⁶

Some of the key components of NRPZ:

- There is no underlying zoning – NRPZ is the zoning for the selected area(s)
- Subdivisions must comply with NRPZ to be a use by-right; deviations from NRPZ (like conventional subdivisions) would require a special permit.
- Number of dwelling units is calculated by an up-front formula – there are no yield plans¹⁷.
- Percentages of required open space are high, from 65 to 90 percent.
- And, greater design flexibility is offered for public benefits such as the provision of affordable homes that count on the SHI.

Like other types of cluster design, NRPZ developments would likely require shared or clustered septic systems (multiple homes on one septic system), innovative and alternative septic systems, or small sewage treatment plants. The Board of Health will continue to review technologies to ensure safe development.

12. Encourage the Board of Health and Conservation Commission to investigate changes to local regulations and practices to facilitate cluster or multifamily development.

Shared/clustered septic systems and other innovative/alternative (I/A) septic systems support development of affordable housing and housing options while protecting Sherborn's water resources. ¹ An I/A system is any septic system or part of one that is not designed or constructed in a way consistent with a conventional Title 5 system. Some examples of alternative systems are recirculating sand filters, aerobic treatment units, Wisconsin mounds, peat filters, humus/composting toilets, and intermittent sand filters. Present septic system standards provide for the separation of water supply and septic effluent but do not provide feasible alternatives to support development of clustered and multi-family housing options.

¹⁵ Lacy, Jeffrey R., Ritchie, Robert W., Russell, Joel S., *Natural Resource Protection Zoning*, December 2010, page 2.

¹⁶ Ibid, page 4.

¹⁷ A yield plan requires a developer to create a conventional subdivision plan to determine the total number of units such a plan would yield – this then becomes the basis for the density limit for the cluster/open space residential site plan

While considering allowances for shared or I/A septic systems, it is important to recognize that much of Sherborn has constrained soils, with seasonal high water table, hardpan, and bedrock close to the surface making the siting of septic systems difficult. Due to the fragile nature of the water supply, the Town's water bearing soils must be protected from septic effluent contamination.

Through the Board of Health and Conservation Commission, the town should investigate ways to both ensure protection of water resources and enable development of more diverse housing options that support the housing and development goals of this plan as well as the General Plan.

Action Plan

The Housing Trust, will be the natural entity to oversee all aspects of its implementation and to provide regular updates on progress to the Select Board and Planning Board. The matrix below provides more specific assignment of responsible entity, supporting entity, and timeframe to implement the housing strategies.

#	Housing Strategies	FY2023	FY2024	FY2025	FY2026	FY2027	Responsible Entity	Supporting Entities
1	Foster locally-initiated development, learning from past local initiatives including Woodhaven and Leland developments, by offering town-owned or acquired real property for appropriate development.						Housing Trust	Town Meeting/SB
2	Consider the costs and benefits of using a private local non-profit and/or a municipal housing entity to foster creation of locally-initiated, small scale affordable or mixed-income residential development.						Housing Trust	Town Meeting/SB
3	Explore possible creation of a well-defined downtown water district and/or town center sewer infrastructure to enable new homes and mixed-use buildings in the town center area.						SB/Town Center Options Committee	Town Meeting
4	Foster public-private conservation-based affordable housing development initiatives with the Sherborn Rural Land Foundation to acquire land for a combination of permanent open space and small-scale affordable housing development.						Housing Trust	Town Meeting/SB
5	Foster regional cooperation to extend public water and/or sewer service from neighboring towns to support affordable housing development(s) near those town boundaries.						Select Board	Town Administrator
6	Work cooperatively with development entities to help shape existing and anticipated development proposals to best align with this plan and the 2019 Master Plan guiding principles and goals.						Zoning Board of Appeals	Housing Trust & Planning Board
7	Explore zoning amendments to allow mixed-use and small-scale multi-family to encourage development of new homes and mixed-use buildings in the town center area.						Planning Board & Town Planner	Town Meeting
8	Review the EA zoning provisions to determine the impacts of recent amendments to allow a mix of senior and/or affordable housing and whether additional revisions are warranted						Planning Board & Town Planner	Town Meeting
9	Review the recently passed inclusionary zoning bylaw for any necessary adjustments						Planning Board & Town Planner	Town Meeting
10	Review applications for accessory apartments since the bylaw was amended to expand housing options allowing more flexibility while ensuring that the single-family character of the property is maintained.						Planning Board & Town Planner	Town Meeting
11	Review the Open Space Subdivision bylaw to consider revisions to encourage moderately sized and priced housing in cluster developments while preserving environmental health and scenic vistas.						Planning Board & Town Planner with BOH and Con Com	Town Meeting
12	Encourage the Board of Health and Conservation Commission to investigate changes to local regulations and practices to facilitate cluster or multifamily development.						BOH & Con Com	SB & Planning Board

SB = Select Board ; BOH = Board of Health; Con Com = Conservation Commission

Note: lighter shade indicates strategies that are ongoing and/or should be implemented as opportunities arise, rather than a specific schedule.

CHAPTER 3

DEMOGRAPHIC PROFILE

Sherborn is a small town with less socio-economic diversity than the regional population. The population is older than the population of the county and is anticipated to continue to age. These demographic trends indicate a need for more housing options to provide housing for a more diverse population as well as to support the needs of older residents.

Key Findings

- Sherborn has the smallest population compared to the seven towns that surround its borders. Sherborn's estimated 2020 population of 4,401 makes it the third smallest of the 54 towns in Middlesex County (only Dunstable and Ashby were smaller), with only about 0.27 percent of the total estimated population for the county.
- Sherborn's total population had been projected to decrease by approximately 12 percent between 2015 and 2035, while the population of Middlesex County is projected to increase by approximately 7 percent during this timeframe. However, the 2020 U.S. Census indicated a growth of 6.8% from the 2010 Census.
- The age composition of the Sherborn population is older than the county as a whole, and the percentage of older adults (sixty-five years and older) continues to increase while the percentage of children nineteen years and under and that of working age adults continues to decrease.
- The average household size and average family size in Sherborn is estimated to have decreased slightly between 2000 and 2020.
- An estimated ninety-six percent of households in Sherborn own their home. Homeowners in Sherborn have an estimated median household income of \$216,406. The estimated median household income of renters in Sherborn was not available due to an insufficient sample size.
- About 16 percent of Sherborn's households have low/moderate income. The thresholds for low/moderate income are based on household size – in the Boston metropolitan area, the income threshold for a four-person household to have low/moderate income, for example, would be \$111,850.

Population Growth & Change

As previously stated in this plan, the U.S. Census Bureau's Decennial Censuses of 2000, 2010 and 2020 and the 2016-2020 American Community Survey (ACS) were the primary sources of data for the needs assessment. It is important to be aware of the margins of error (MOE) attached to the ACS estimates, especially in smaller geographies, such as Sherborn, because the estimate is based on a relatively small sample and not on a complete count.

TOTAL POPULATION CHANGE

Per the 2020 U.S. Census, Sherborn is home to 4,401 residents, an increase of 282 (approximately 6.8% percent from 2010). Sherborn's estimated population of 4,401 comprises roughly 0.27 percent of the total estimated population of Middlesex County (1,632,002). Only two towns in Middlesex County, Ashby and Dunstable, have smaller populations than Sherborn's.

According to the Decennial Census of 1970-2010, the population of Sherborn grew from 3,309 people in 1970 to 4,119 people in 2010. The decade with the sharpest increase in total population was between 1970

and 1980 when population increased 22 percent from 3,309 people to 4,049. Since 1980, however, Sherborn's population has fluctuated with slight decreases and increases (between a 2 percent decrease to a 6.8 percent increase in population over 10 years). The county's population has fluctuated even less than that of Sherborn between 1970 and 2010, decreasing in population only between 1970 and 1980 (2 percent decrease) and increasing anywhere between 2 percent (between 1980 and 1990) and 8.6 percent (between 2010 and 2020).

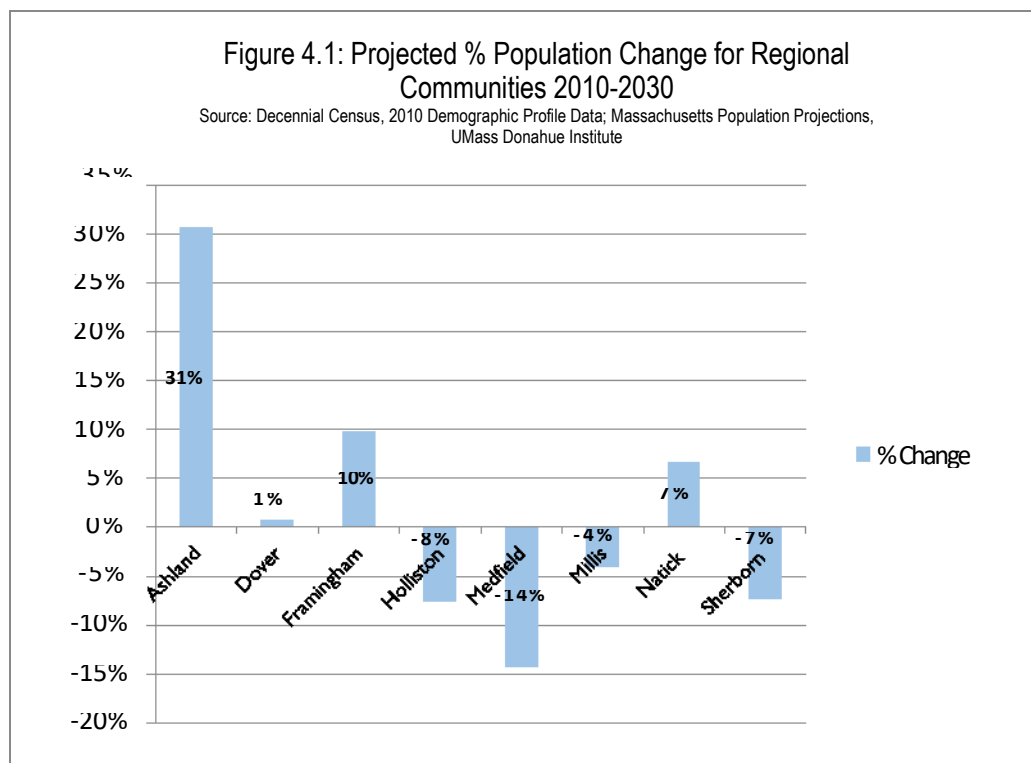
Between 2010 and 2020, the decennial found a nearly 7 percent population increase in Sherborn from 4,119 in 2010 to 4,401 in 2020, and a nearly 9 percent increase throughout the county from 1,503,085 in 2010 to 1,632,002 in 2020.

UMass Donahue projections had indicated that Sherborn's population may decrease by 10 percent between 2015 and 2030 to 3,814 and then further decrease by 2035 to 3,724 people. The county projections anticipate modest growth of 6 percent and 1 percent in total population respectively between 2015 and 2030 and 2030 and 2035.

TABLE 4.1: POPULATION CHANGE 1970-2015 & 2030, 2035 PROJECTIONS

Sherborn			Middlesex County	
Year	Population	% Change	Population	% Change
1970	3,309	n/a	1,397,268	n/a
1980	4,049	22%	1,367,034	-2%
1990	3,989	-1%	1,398,468	2%
2000	4,200	5%	1,465,396	5%
2010	4,119	-2%	1,503,085	3%
2020	4,401	6.8%	1,632,002	8.6%
2030 projected	3,814	-10%	1,673,074	6%
2035 projected	3,724	-2%	1,694,670	1%
Source: Decennial Census, 2000, 2010 and 2020 Demographic Profile Data; Massachusetts Population Projections; UMass Donahue Institute; Minnesota Population Center. National Historical Geographic Information System: Version 11.0 [Database]. Minneapolis: University of Minnesota. 2016. http://www.nhgis.org ; Note: ACS data based on samples and are subject to variability				

Four of the seven towns surrounding Sherborn are projected to experience population growth between 2010 and 2030. These increases range from a 31 percent increase in Ashland to a 1 percent increase in Dover. The other three surrounding towns are projected to experience population decreases between 2010 and 2030, from a 4 percent decrease projected for Millis to a 14 percent population decrease projected for Medfield.



AGE COMPOSITION

The age composition of Sherborn is older than that of the county population as a whole. The estimated Sherborn median age of 45.1 years per the 2020 ACS is significantly older than the county median of 38.5. In 2000, Sherborn's median age was 41.1 and the county's was 36.4.

In 2000, 33 percent of the Sherborn population was age nineteen and younger. In 2020, estimates indicate that the share of population age nineteen and younger in Sherborn decreased to 30.1 percent of total population. The 2035 projections indicate that this younger age cohort will continue to decrease to 23 percent of the population.

In 2000, 56 percent of the population was between ages twenty and sixty-four years. In 2020, the twenty to sixty-four age cohort is estimated to have decreased to 53.9 percent of the total population. The 2035 projections indicate the percentage of population age twenty to sixty-four years will continue to decrease to 51 percent of the population.

In 2000, 11 percent of the total Sherborn population was age sixty-five years and over, but in 2020, this cohort is estimated to have grown to 16 percent of the population. According to the UMass Donahue population projections, the older adult population sixty-five years and over is expected to continue to grow to 26 percent of the total population by 2035. The 2035 projections for the county indicate the over age sixty-five population will constitute 22 percent of the total population.

RACIAL COMPOSITION

The racial composition of Sherborn's population is primarily persons who identify as white. About 14.6 percent of the total population is estimated per the 2020 ACS to identify as non-white alone including Asian or two or more races. About 24.8 percent of the total county population identifies as non-white alone. Between 2000 and 2020, the population identifying as white declined about 9.5 percent (from 4082 to an estimated 3692) in Sherborn and decreased 9.3% percent in the county. In the same period, the population identifying as non-white alone increased in the county 117% percent, due to the large increase in population of those identifying as black or African American, and Asian alone (87 percent and 7151 percent increase, respectively). However, the population of people identifying as American Indian and Alaska Native, and Native Hawaiian and Other Pacific Islander increased by 62 percent and 124 percent, respectively, but the numbers are small

The 2020 ACS reports that the population in Sherborn identifying as black or African American at 11, with no American Indian and Alaska Natives or Native Hawaiian or Pacific Islander. The population identifying as Asian alone more than tripled to 337 percent, and the population identifying as two or more races grew from 11 in 2000 to 244.

FOREIGN-BORN POPULATION

Housing analyses review data for foreign-born population along with race/ethnicity because national origin is a protected class under the federal Fair Housing Act and is often not captured under the analysis of race and ethnicity. This analysis further demonstrates Sherborn's lack of diverse population compared with the county population.

The 2020 estimated population of foreign-born residents in Sherborn was 9 percent of the town's total population, while the estimated population of foreign-born residents in Middlesex County was 21 percent of the county's total population. Most of the foreign-born population in Sherborn originated in Asia (42%) and Europe (40%), while 18 percent originated in Latin America. The foreign-born population in the county is largely Asian (44 percent of total foreign-born population) and Latin American (27 percent of total foreign-born population).

TABLE 4.2: NATIONAL ORIGIN OF FOREIGN-BORN POPULATION, 2020

	SHERBORN		MIDDLESEX COUNTY	
	Estimate	%	Estimate	%
Total Foreign Born Persons:	413	100%	341,278	100%
Europe	164	40%	64,125	19%
Asia	173	42%	149,541	44%
Africa	0	0%	24,511	7%
Oceania	0	3%	1630	0%
Latin America	76	18%	91,871	27%
Non-US Northern America	0	0%	9600	3%
Source: 2016-2020 American Community Survey; Note: ACS data based on samples and are subject to variability				

RESIDENCE ONE YEAR AGO

Per the 2020 ACS estimate, 95 percent of Sherborn's total population lived in the same house one-year prior. 87 percent of the total county population lived in the same house one-year prior to the 2020 ACS estimate. In Sherborn and the county, most of the population that moved to their current home in the past year moved from a different state. In Middlesex County, most moved within the county.

TABLE 4.3: GEOGRAPHIC MOBILITY: RESIDENCE ONE YEAR AGO, 2015

	SHERBORN		MIDDLESEX COUNTY	
	Units	%	Units	%
Total	4,269	100%	1,549,891	100%
Same Home	4073	95%	1,340,656	87%
Same County	17	.4%	105,393	7%
Same State	47	1%	40,297	3%
Different State	115	3%	41,847	3%
Abroad	17	.4%	21,698	1%
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability				

Household Characteristics

The overall number of households in Sherborn is estimated to have increased between 2000 and 2020 by 3.5 percent from 1,423 households in 2000 to 1,473 households in 2020, while average household size decreased from 2.95 to 2.93 persons per household. Total households in the county also increased (9 percent) and the average household size increased slightly from 2.52 to 2.53 persons per household.

Sherborn has a larger percentage of family households with children under eighteen (40 percent of total family households) than in the county (28 percent), fewer single-person households (11 percent in Sherborn and 26 percent in the county), and a smaller percentage of older adults living alone (7 percent in Sherborn and 11 percent in the county).

The number of family households with children declined slightly from 2000 to 2020, from 657 to 585 (46 percent of total households in 2000 to 40 percent in 2020). County-wide, the percentage of family households also decreased slightly from about 30 percent to 28 percent of total households, while the absolute number of family households with children in the county decreased slightly from 169,433 family households with children in 2000 to 169,072 in 2020.

TABLE 4.4: HOUSEHOLD CHARACTERISTICS, 2000 & 2020

	SHERBORN				MIDDLESEX COUNTY			
	2000		2020		2000		2020	
Household Type	#	%	Est.	%	#	%	Est.	%
Total households	1,423	100%	1,414,787	100%	561,220	100%	611,850	100.00%
Total family households	1,223	86%	1,160	79%	361,076	64%	392,836	64%
Family households with related children under 18 years	657	46%	585	40%	169,433	30%	169,072	28%
Male householder, no wife present with own children	n/a	--	n/a	n/a	n/a	--	8,110	1%
Female householder, no husband present with own children	51	4%	56	4%	27,467	5%	26,278	4%
Nonfamily households	200	14%	200	14%	200,144	36%	219,014	36%
Householder living alone	176	12%	167	11%	152,301	27%	159,081	26%
65 years and over living alone	85	6%	107	7%	53,405	10%	66,080	11%
Average household size	2.95	--	2.93	--	2.52	--	2.53	--
Average family size	3.22	--	3.17	--	3.11	--	3.10	--

Source: US Census 2000; 2016-2020 American Community Survey; Note: ACS data based on samples and are subject to variability

HOUSEHOLD TENURE

The 2016-2020 ACS estimates that 96 percent of households in Sherborn own their home and 4 percent rent their home. In Middlesex County, as well as in the state, however, 62 percent of households own their home and 38 percent rent their home.

HOUSEHOLD INCOME DISTRIBUTION

Sherborn's median household income, per the 2020 ACS estimates, was \$216,406, significantly higher than the Middlesex County median household income of \$106,202, and Sherborn's 2010 median household income of \$145,250. Of the seven towns surrounding Sherborn, the only other town with a higher estimated 2015 median household income than Sherborn is Dover (\$250,000). Behind Dover and Sherborn, Medfield has the third highest median household income of these eight communities at \$174,417. Framingham has the lowest median household income of \$86,322. The Massachusetts median household income is estimated to be \$84,385 per the 2020 ACS.

TABLE 4.5: MEDIAN HOUSEHOLD INCOME 2010-2020

Median Household Income								
	Ashland	Dover	Framingham	Holliston	Medfield	Millis	Natick	Sherborn
2010	\$92,974	\$164,583	\$64,061	\$103,600	\$126,048	\$85,472	\$87,568	\$145,250
2020	\$118,348	\$250,000	\$86,322	\$137,589	\$174,417	\$114,255	\$115,652	\$216,406
Source: US Census 2010 and 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability								

Seventy-eight percent of Sherborn households have incomes of \$100,000 or over, which is much greater than the county at 53 percent. Eight percent of Sherborn households have incomes of \$35,000 to \$74,999, while 19 percent of total households in the county have incomes in this range.

TABLE 4.6: ESTIMATED INCOME DISTRIBUTION BY HOUSEHOLD 2020

Income Level	SHERBORN		MIDDLESEX COUNTY	
	# of Households	% of Households	# of Households	% of Households
Less than \$34,999	155	11%	102,791	17%
\$35,000 to 74,999	123	8%	116,252	19%
\$75,000 to 99,999	62	4%	69,139	11%
\$100,000 +	1,153	78%	323,669	53%
Total	1,493*	101%*	611,850	100%
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability. *Not 100% due to rounding				

Households with younger and/or older householders will typically have lower incomes than households with householders in the middle (between twenty-five and sixty-four years of age). As seen in the table below, Median Household Income Distribution by Age of Householder, the estimated median income for all households in Middlesex County is \$106,402, while households with a householder less than twenty-five years of age have an estimated median income of \$60,328, and those with a householder over sixty-five years have an estimated median income of only \$62,213 – a gap of about \$46,074 and \$44,189, respectively.

In Sherborn, the estimated median income for all households is \$216,406, while households with a householder over sixty-five years have an estimated median income of \$119,219 – a difference of approximately \$97,187. Median income data was not available for households with a householder less than twenty-five years of age in Sherborn.

TABLE 4.7: MEDIAN HOUSEHOLD INCOME DISTRIBUTION BY AGE OF HOUSEHOLDER 2020

Age of Householder	SHERBORN	Middlesex County
	Estimate	Estimate
Under 25 years	-	\$60,328
25 to 44 years	\$250,000	\$120,4084
45 to 64 years	\$208,833	\$129,058
65 years and older	\$119,219	\$62,213
Median income all	\$216,406	\$106,402
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability		

The median income for renter households is often lower than that for owner households and this holds true at both the local and county level. The estimated 2020 median homeowner household income in Sherborn is \$216,875 and in the county is \$135,495; the estimated median income for renter households in Sherborn is not available due to insufficient sample size and in the county it is \$68,367.

TABLE 4.8: MEDIAN HOUSEHOLD INCOME BY TENURE 2020

Tenure	SHERBORN	Middlesex County
Owner	\$216,875	\$135,495
Renter	\$ -	\$68,367
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability		

Disability

Per the 2018 ACS (latest version with disability data), Sherborn and county estimates of population with physical or cognitive disabilities, with 5 percent in Sherborn and 9 percent in the county, were less than the estimated statewide population with disabilities (about 12 percent).

TABLE 4.9: POPULATION BY ESTIMATED DISABILITY STATUS 2018

Age	SHERBORN			MIDDLESEX COUNTY		
	Non-institutionalized civilian population, estimated	With a disability, estimated	% of population with a disability, estimated	Non-institutionalized civilian population, estimated	With a disability, estimated	% of population with a disability, estimated
Under 18	1,195	42	2%	329,592	10,557	3%
18-64	2,388	42	2%	1,032,290	67,070	6%
65 +	718	107	15%	227,114	68,472	30%
Total	4,301	215	5%	1,579,996	146,099	9%

Economic Characteristics

Roughly 83 percent of Sherborn's total labor force is employed in the services sector, which includes professional, scientific, management, administrative, entertainment, food, accommodations, and other services. About 87 percent of Middlesex County labor force is employed in the services sector. About 14 percent in Sherborn are employed in finance, insurance, or real estate, versus about 4 percent in the county. About 6 percent in the town and 14 in the county are employed in trade, transportation, and utilities.

The unemployment rate in Sherborn is less than that county wide, and both the Sherborn and county unemployment rates are less than that of the state – per the EOLWD 2022 figures, Sherborn's unemployment rate was 2.8 percent, the county was 3.8 percent, and the state was 4.1 percent.

TABLE 4.10: AVERAGE EMPLOYMENT 2022

	Sherborn	Middlesex County
Labor Force	2,331	911,425
Employed	2,255	876,792
Unemployed	65	34,633
Area Unemployment Rate	2.8%	3.8%
MA Rate	4.1%	4.1%
Source: MA Executive Office Of Labor And Workforce Development		

EDUCATIONAL ATTAINMENT

Per the 2015 ACS estimates, Sherborn residents have attained higher education levels than residents countywide and statewide. About 82 percent of Sherborn's population twenty-five years and over has a Bachelor's degree or higher; whereas about 52 percent countywide has a Bachelor's degree or higher. About 41 percent of the statewide population twenty-five years and over has a Bachelor's degree or higher.

CHAPTER 4

LOCAL HOUSING CONDITIONS

Sherborn has very limited housing options, high property values, high local property taxes, and many existing low/moderate income Sherborn residents spend too much for housing relative to household income. These findings indicate need for greater housing options, including affordable units, multi-family rental units, townhouses, and cottage-style single family houses on smaller lots.

Key Findings

- Ninety-six percent of Sherborn's housing stock is single-family detached homes
- There are estimated to be no vacant units for rent, indicate a significant shortage of rental units.
- The average assessed value of a single-family home in Sherborn is \$880,707, the second highest value (behind Dover) of the communities surrounding Sherborn. The median sale price for a single-family home in 2022 was \$1,375,000.
- More than half (52%) of households in Sherborn moved into their current homes between 2000 and 2014.
- Approximately 48% of renter in Sherborn are sixty-five years and over compared to 16% throughout Middlesex County.
- About 76 percent (80) of Sherborn's renter households have income below 80 percent AMI and 11 percent (175) of owners have income below 80 percent AMI
- About 360 (25 percent) of total owner households and 70 (67 percent) of renter households in Sherborn pay more than 30 percent of their income toward housing.

Housing Supply and Vacancy Trends

VACANCY RATES

Vacancies are an essential measure of the state of the housing market. Vacant units represent the supply of homes that exceeds demand, which is related to economic trends. Vacancy rates are measured as a percent of total housing units. A low vacancy rate can result in pressure on housing prices. A 1.5% vacancy rate for ownership and 7% for rental units are considered natural vacancy rates in a healthy market.

Source: Metropolitan Area Planning Council, *Basic Housing Needs Assessment*, Sept 2014 – in consultation with Barry Bluestone, Dukakis Center at Northeastern University.

Compared to the seven towns surrounding it, Sherborn has the fewest number of estimated total housing units at 1,562.

Of these units, about 96 percent are owner-occupied. Most of Sherborn's housing stock (96 percent) is single-family detached homes, and approximately half of the total housing stock was built prior to 1970.

The 2016-2020 ACS estimates report Sherborn as having thirty-eight vacant units available for sale (roughly 2.4 percent vacancy) and no vacant units available for rent. However, there are roughly 24 vacant units have been sold (but not occupied).

The ACS reports an additional 35 vacant units characterized as "other."¹⁸ The estimated lack of vacant units for rent and lack of rental housing overall in Sherborn, indicates a significant shortage of rental units.

¹⁸ US Bureau of the Census, American Community Survey Five-Year Estimates (2016-20), "B25004: Vacancy Status", and "B25001: Housing Units".

PERMIT ACTIVITY

In 2021, the Sherborn Building Department issued a total of three new single-family construction permits and two multifamily construction permits. Over the past ten years, the number of new units permitted by the town has been quite variable, with an annual low of four units in 2012, 2013 and 2016, and an annual high of thirty units (including 27 multifamily units) in 2019.

TABLE 5.1: RESIDENTIAL CONSTRUCTION PERMITS FOR NEW DWELLING UNITS 2011-2021

Year	Total	Single Family Units	Multi Family Units
2012	4	4	0
2013	8	8	0
2014	6	6	0
2015	NA	NA	NA
2016	8	8	0
2017	10	10	0
2018	10	10	0
2019	30	3	27
2020	14	8	6
2021	5	3	2
Total	89	54	35

Source: Town of Sherborn Annual Reports, 2012-2021

RESIDENTIAL PROPERTY CHARACTERISTICS

Sherborn's land was divided into 1,800 parcels in 2021. Table 5.2 shows that most of residential parcels in Sherborn consists of single-family properties (74 percent), followed by condominiums at 5 percent.

TABLE 5.2: RESIDENTIAL LAND USE

Use Type	Number of Parcels	% of Land
Single-Family	1,328	74%
Multi-Family	14	1%
Condominium	85	5%
Miscellaneous Residential	29	2%
Other Non-Residential Uses	160	9%
Vacant	184	10%
Total	1,800	101**%

Source: DOR Municipal Databank, Parcel Counts by Usage Code, 2022 **Due to rounding

TRENDS IN RESIDENTIAL PROPERTY VALUES

A review of trends in residential property values provides some perspective on what is occurring with housing costs in the local real estate market. Data from the Massachusetts Department of Revenue (DOR) and other sources offer insights about aggregated residential assessed values, average single-family home values, tax rates, and tax bills for each municipality in the Commonwealth. For this analysis of residential property trends, a ten-year period, 2013 – 2022) has been used to understand how values have changed.

TABLE 5.3: TAX RATES AND AVERAGE TAX BILLS, REGIONAL COMMUNITIES FY22

Municipality	Residential Assessed Values	Single-Family Parcels	Single-Family Average Value	Residential Tax Rate	Average Single-Family Tax Bill
Ashland	\$3,020,388,784	3,814	\$521,202	15.98	\$8,277
Dover	\$2,689,460,131	1,839	\$1,265,303	12.42	\$15,715
Framingham	\$9,312,610,088	1,352	\$491,017	13.74	\$6,747
Holliston	\$2,620,597,878	4,498	\$522,952	17.38	\$9,089
Medfield	\$2,823,833,508	3,536	\$720,752	17.42	\$12,555
Millis	\$1,412,367,349	2,230	\$462,618	18.88	\$8,734
Natick	\$7,891,145,514	8,545	\$686,449	13.34	\$9,157
Sherborn	\$1,350,382,370	1,328	\$880,707	19.03	\$16,760\$
Source: DOR Municipal Databank, FY22					

In FY22, the total assessed value of all residential parcels in Sherborn was \$11,350,382,370, and the average value of a single-family home was \$880,707 the second highest value (behind Dover) of the communities surrounding Sherborn. Sherborn has the highest residential tax rate and highest average single-family tax bill of the eight regional communities. Residential assessed values in Sherborn fluctuated between 20013-2022 with the most significant increases occurring in 2018 and 2022.

TABLE 5.4: SHERBORN RESIDENTIAL VALUE BY YEAR

Year	Residential Assessed Values	% Change
2013	\$1,032,074,310	
2014	\$1,036,704,830	0.4%
2015	\$1,069,189,410	3.1%
2016	\$1,086,183,540	1.6%
2017	\$1,114,133,970	2.6%
2018	\$1,191,349,450	6.9%
2019	1,216,850,450	2.1%
2020	1,256,008,860	3.2%
2021	1,277,961,650	1.7%
2022	1,350,382,370	5.7%
Source: DOR Municipal Databank, Property Tax Trend Report		

HOUSING CHARACTERISTICS

Sherborn has a total of 1525 occupied housing units (note: associated figures for household tenure is reported in the demographics chapter, however this section is regarding units rather than households). Table 5.5 shows the majority (about 52 percent) moved to their current homes between 2000 and 2014. This trend contrasts with the county, where approximately 56 percent moved into their current homes after 2009.

TABLE 5.5: HOUSEHOLD BY YEAR MOVED

Year Moved in	Sherborn	Middlesex County
Occupied Units	1,525	612,366
2017 or later	8%	27%
2015 to 2016	7%	12%
2010 to 2014	28%	17%
2000 to 2009	24%	18%
1990 to 1999	19%	12%
1989 or before	15%	14%
Source: 2015-19 American Community Survey; Note: ACS data based on samples and are subject to variability		

HOMEOWNER HOUSEHOLDS BY AGE

The distribution of homeowners by age in Sherborn somewhat mirrors that of Middlesex County across all age cohorts (Table 5.6). One slight difference is the segment of homeowners between 45 and 54 years, where it is almost double. The most recent ACS estimates show this age group makes up approximately 27 percent of the total owner-occupied units in Sherborn, and only 14 percent countywide.²⁰

TABLE 5.6: HOMEOWNERS BY AGE 2020

Householder Age	Sherborn Owners		Middlesex County Owners	
	Estimate	%	Estimate	%
15 to 24 years	0	0%	1,002	0.2%
25 to 34 years	26	2%	29,977	5%
35 to 44 years	262	18%	63,064	10%
45 to 54 years	394	27%	84,961	14%
55 to 59 years	192	13%	46,810	8%
60 to 64 years	156	11%	42,489	7%
65 to 74 years	242	16%	64,612	11%
75 to 84 years	76	5%	31,591	5%
85 years and over	74	5%	15,573	3%
Total	1478	100.0%	611,850	100.0%
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability				

²⁰ US Bureau of the Census, American Community Survey 2016-20, "B25007: Tenure by Age of Householder".

OWNER-OCCUPIED HOUSING VALUES

Home values in Sherborn are quite high, with approximately 20 percent of owner-occupied housing units valued at more than \$1,000,000, compared to about 11 percent countywide. The availability of modestly priced housing in good condition is limited in Sherborn. Less than 7 percent of owner-occupied housing units in Sherborn are valued between \$200,000 and \$499,999; 40 percent of owner-occupied housing units county wide are valued in this price range.²¹ Encouragingly, when reviewing December 2021 Patriot Properties Town of Sherborn Counter Listing Summary a count of homes assessed under \$600,000 and excluding those homes deed restricted assessed at SHI levels, there were 254 houses or roughly 16% of homes which in the current housing market would be considered naturally affordable. It is important for the health of the community to have both SHI and naturally affordable housing diversity opportunities.

TABLE 5.7: OWNER-OCCUPIED HOME VALUES 2020

Home Value	Sherborn		Middlesex County	
	Estimate	%	Estimate	%
Less than \$50,000	0	0%	4,056	1%
\$50,000 to \$99,999	10	<1%	2,080	<1%
\$100,000 to \$149,999	6	<1%	3,878	1%
\$150,000 to \$199,999	0	0%	7,861	2%
\$200,000 to \$299,999	8	<1%	31,430	8%
\$300,000 to \$499,999	92	6%	122,192	32%
\$500,000 to \$999,999	1,015	71%	166,107	44%
\$1,000,000 to \$1,999,999	228	16%	34,928	9%
\$2,000,000 or more	59	4%	7,547	2%
Total	1,422	100%	380,079	100%
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability				

FOR-SALE MARKET

Housing Sales

In April 2021, the median listing price of a home in Sherborn was \$959,000 and the median sale price was \$855,000. In April 2022, the median listing price was \$1,099,000 and the median sale price was \$1,375,000, according to Realtor.com.

²¹ US Bureau of the Census, American Community Survey 2011-15, "B25057: Value".

TABLE 5.8: SHERBORN MEDIAN HOME VALUE APRIL 2017-APRIL2022

Year	Detached Single-Family		Condominium		All	
	Median Sales Price	% Change	Median Sales Price	% Change	Median Sales Price	% Change
2017	\$839,000	-	\$455,000		\$800,000	
2018	\$873,000	4.1%	\$489,000	7.5%	\$840,000	5.0%
2019	\$866,000	-0.8%	\$509,000	4.1%	\$834,000	-0.7%
2020	\$897,000	3.6%	\$529,000	3.9%	\$855,000	2.5%
2021	\$983,000	9.6%	\$571,000	7.9%	\$938,000	9.7%
2022	\$1,115,000	13.4%	\$643,000	12.6%	\$1,100,000	17.3%
Source: Zillow.com, 2022, Zillow Home Value Index						

RENTER-OCCUPIED HOUSING CHARACTERISTICS

According to the most recent ACS estimates, there are a total of 56 renter households in Sherborn. Approximately 84 percent moved into their current unit between 2010 and 2015, somewhat higher than the 71 percent of renter households countywide that moved into their current unit during this time period. However, the percentage of renter households who moved into their present home since 2019 was about 10% for the county but no renters in Sherborn moved this recently. Due to the small sample size in Sherborn, this figure may not be accurate.²³

²³ US Bureau of the Census, American Community Survey 2011-2015, "B25038: Tenure by Year Householder Moved into Unit".

Renter Households by Age

The distribution of renters by age in Sherborn differs greatly from that of Middlesex County. While 48 percent of renter households in Sherborn are sixty-five years and over, only 16 percent of renter households county-wide are in this age group. 21 percent of renter households in Sherborn are between twenty-five and fifty-four years old, while 65 percent of renter households countywide are in this age group.²⁴

TABLE 5.11: RENTERS BY AGE 2020

Householder Age	Sherborn Renters		Middlesex County Renters	
	Estimate	%	Estimate	%
15 to 24 years	0	0%	15,618	7%
25 to 34 years	0	0%	70,445	30%
35 to 44 years	3	4%	45,238	20%
45 to 54 years	18	24%	34,016	15%
55 to 59 years	0	0%	14,966	6%
60 to 64 years	0	0%	13,123	6%
65 to 74 years	10	14%	19,231	8%
75 to 84 years	9	12%	11,528	5%
85 years and over	16	22%	7,606	3%
Total	74	100.0%	231,771	100.0%
Source: 20116-22 American Community Survey; Note: ACS data based on samples and are subject to variability				

Rental Housing Costs

Table 5.13 shows that 100 percent of renter households in Sherborn pay between \$500 and \$1,999 in monthly gross rent (rent and basic utilities). There is a huge margin of error in this estimate due a very small sample size. The county's percentage of 55 percent for this monthly gross rent distribution and 36% paying \$2000 or more is a more accurate representation of the current market.

TABLE 5.13: RENTER HOUSEHOLDS BY GROSS RENT PER MONTH 2020

Gross Rent	Sherborn		Middlesex County	
	Estimate	%	Estimate	%
Less than \$500	0	0%	19,732	9%
\$500 to \$999	25	45%	22,922	10%
\$1,000 to \$1,499	19	34%	45,904	20%
\$1,500 to \$1,999	12	21%	56,165	25%
\$2,000 to \$2,499	0	0%	39,921	18%
\$2,500 to \$2,999	0	0%	21,149	9%
\$3,000 or more	0	0%	19,294	9%
Median Rent	\$1039		\$1,714	
Total Occupied Units Paying Rent	56	100.0%	225,087	100.0%
Source: 2016-20 American Community Survey; Note: ACS data based on samples and are subject to variability				

²⁴ US Bureau of the Census, American Community Survey 2011-15, "B25007: Tenure by Age of Householder".

Housing Affordability in Sherborn

HOUSING COST BURDEN

As defined by the U.S. Department of Housing and Urban Development, “housing cost burden” occurs when low- or moderate-income households must spend more than 30 percent of their monthly income on housing costs. For homeowners, “housing costs” include the monthly cost of a mortgage payment, property taxes, and insurance. For renters, it means monthly rent plus basic utilities (heat, electricity, hot water, and cooking fuel). When housing costs exceed 50 percent of a low- or moderate-income household’s monthly income, the household meets the definition of “severely cost burdened.”

The 2014-2018 ACS estimates indicate that 11 percent (175) of Sherborn’s total households have income at or below 80 percent of the Area Median Income (AMI). The FY2022 US Department of Housing and Urban Development (HUD) income limits for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area for a household of four with up to 80 percent AMI was \$111,850 and for a household of one person was \$78,300. Current income limits for households of one to eight persons are available at www.huduser.gov.

About 76 percent (80) of Sherborn’s renter households have income below 80 percent AMI and 11 percent (175) of owners have income below 80 percent AMI.

TABLE 5.14: HOUSEHOLD INCOME DISTRIBUTION OVERVIEW

Household Income	Homeowners	%	Renters	%	Total	% Total
Very Low Income (less than or equal to 30% AMI / ≤30%)	65	4%	10	10%	75	5%
Low Income (greater than 30%, but less than or equal to 50% AMI / >30% to ≤50%)	50	3%	35	33%	85	5%
Moderate Income (greater than 50%, but less than or equal to 80% AMI / >50% to ≤80%)	60	4%	35	33%	95	6%
Median Income (greater than 80%, but less than or equal to 100% AMI / >80% to ≤100%)	55	4%	0	0%	55	3%
Income greater than 100% AMI (>100%)	1,230	85%	25	24%	1,255	81%
Total	1,450	100%	105	100%	1,555	100%
Source: HUD, Comprehensive Housing Affordability Strategy (CHAS), based on 20014-2018 ACS Estimates						

About 360 (25 percent) of total owner households and 70 (67 percent) of renter households in Sherborn pay more than 30 percent of their income toward housing. An analysis of cost burden by housing type by MAPC indicated that about 20 percent of all elderly family households and almost 30 percent of elderly non-family households (including elders living alone) are cost burdened. About 24 percent of small family households and 18 percent of large family households are cost burdened.²⁵

²⁵ Source for cost burden by household type: MAPC’s housing.ma, accessed 1/30/17. Note, the margins of error for these figures are high.

TABLE 5.15: COST BURDENED OWNERS AND RENTERS IN SHERBORN

	Owner		Renter		Total	
	Est.	%	Est.	%	Est.	%
Cost Burden <=30%	1,059	73%	35	33%	1,094	70%
Cost Burden >30% to <=50%	225	16%	60	57%	285	18%
Cost Burden >50%	135	9%	10	10%	145	9%
Cost Burden not available	30	2%	00	0%	30	2%
Total	1,450	100%	105	100%	1,555	100*%

Source: HUD, Comprehensive Housing Affordability Strategy (CHAS), based on 2014-2018 ACS Estimates *Due to rounding

Of the estimated 240 households in Sherborn with income at or below 80 percent AMI, there are 190 households (79 percent) that have housing cost burdens and 95 (40 percent) with severe housing cost burdens.

TABLE 5.16 TOTAL COST BURDENED HOUSEHOLDS BY INCOME

Income by Cost Burden (Owners and Renters)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	30	30	75
Household Income >30% to <=50% HAMFI	75	35	85
Household Income >50% to <=80% HAMFI	85	30	95
Household Income >80% to <=100% HAMFI	30	10	55
Household Income >100% HAMFI	210	40	1,255
Total	430	145	1555

*HAMFI is defined as the HUD Area Median Family Income calculated by the federal Department of Housing and Urban Development to determine Fair Market Rents. HAMFI will not necessarily be the same as other calculations of median incomes due to a series of adjustments that are made.
Source: HUD, Comprehensive Housing Affordability Strategy (CHAS), based on 2014-2018 ACS Estimates

Of the 80 renters in Sherborn with income at or below 80 percent AMI, about 70 households (88 percent) are cost burdened. Of the 175 owners in Sherborn with income at or below 80 percent AMI, about 120 households (69 percent) are cost burdened. All renters with income below 80 percent AMI are cost burdened. In addition, half of all owners with income between 30 and 50 percent AMI and between 50 and 80 percent AMI are severely cost burdened.

TABLE 5.17 TOTAL COST BURDENED RENTER HOUSEHOLDS BY INCOME

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI*	0	0	10
Household Income >30% to <=50% HAMFI	35	10	35
Household Income >50% to <=80% HAMFI	35	0	35
Household Income >80% to <=100% HAMFI	0	0	0
Household Income >100% HAMFI	0	0	85
Total	70	10	105
*HAMFI is defined as the HUD Area Median Family Income calculated by the federal Department of Housing and Urban Development to determine Fair Market Rents. HAMFI will not necessarily be the same as other calculations of median incomes due to a series of adjustments that are made. Source: HUD, Comprehensive Housing Affordability Strategy (CHAS), based on 2014-2018 ACS Estimates			

TABLE 5.18 TOTAL COST BURDENED OWNER HOUSEHOLDS BY INCOME

Income by Cost Burden (Owners only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	30	30	65
Household Income >30% to <=50% HAMFI	40	25	50
Household Income >50% to <=80% HAMFI	50	30	60
Household Income >80% to <=100% HAMFI	30	10	55
Household Income >100% HAMFI	210	40	1,230
Total	360	135	1,450
HAMFI is defined as the HUD Area Median Family Income calculated by the federal Department of Housing and Urban Development to determine Fair Market Rents. HAMFI will not necessarily be the same as other calculations of median incomes due to a series of adjustments that are made. Source: HUD, Comprehensive Housing Affordability Strategy (CHAS), based on 2014-2018 ACS Estimates			

Affordable Housing Characteristics

For the purposes of this analysis, affordable housing is housing that is restricted to individuals and families with qualifying incomes and asset levels, and who receive some manner of assistance to bring down the cost of owning or renting the unit, usually in the form of a government subsidy, or results from zoning relief to a housing developer in exchange for the income-restricted unit(s). Affordable housing can be public or private. Public housing is managed by a public housing authority, established by state law to provide affordable housing for low-income households. Private income-restricted housing is owned and operated by for-profit and nonprofit owners who receive subsidies in exchange for renting to low- and moderate-income households.

The Massachusetts Department of Housing and Community Development (DHCD) maintains a Subsidized Housing Inventory (SHI) that lists all affordable housing units that are reserved for households with incomes at or below eighty percent of the area median income (AMI) under long-term legally binding agreements and are subject to affirmative marketing requirements. The SHI also includes group homes, which are residences licensed by or operated by the Department of Mental Health or the Department of Developmental Services for persons with disabilities or mental health issues.

The SHI is the state's official list for tracking a municipality's percentage of affordable housing under M.G.L. Chapter 40B (C.40B). This state law allows developers of projects that include a sufficient level of subsidized low/moderate-income housing to apply for a Comprehensive Permit from the local Zoning Boards of Appeals (ZBA). Through a Comprehensive Permit, which is a single application to the ZBA, developers of qualified housing developments can request waivers of local bylaws. The ZBA may approve the application as submitted, approve with appropriate conditions or changes, or it can deny the application. However, if the ZBA denies that application or imposes uneconomic conditions, the developer may appeal the decision to the Housing Appeals Committee if less than 10 percent of year-round housing units in a town consist of income-restricted or subsidized housing for low-moderate income households. The law was enacted in 1969 to address the shortage of affordable housing statewide by reducing barriers created by local building permit approval processes, local zoning, and other restrictions.

SHERBORN AFFORDABLE UNITS

As of June 2022, there were 48 units in Sherborn listed on the SHI.

TABLE 5.19: SHERBORN AFFORDABLE UNITS BY TYPE

SHI	
Rental	24
Group Home	0
Ownership	24
Total	48

Leland Farms on Leland Drive has ten affordable ownership units with an affordability term of 99 years (or until the town's Ground Lease terminates) per the Regulatory Agreement.²⁶ Woodhaven on Village Way has 24 rental units with a perpetual affordability restriction. There are currently an additional 14 affordable ownership units in perpetuity, including 8 at The Fields at Sherborn, 4 at Meadows Edge at Whitney Farm and 2 at North Main Street Village.

²⁶ Leland Farms affordability term reported here is based on email communication from Margaux LeClair, MA Department of Housing and Community Development, and Gino Carlucci, Town Planner, on May 5, 2017.

PIPELINE

Meadows Edge at Whitney Farm is currently the largest of the pending projects. It consists of 48 units including 12 affordable. It was originally applied for in 2001 and was stalled for an extended period. Construction activity has resumed on the site and 4 affordable units have been constructed and added to the SHI, leaving 8 more to come. In addition, there is one additional unit at North Main Street Village that will be added to the SHI shortly.

Coolidge Crossing at 104 Coolidge Street was proposed as a 120-unit rental property consisting of 3 40-unit buildings on a 20.2-acre site, including 30 affordable apartments. The ZBA approved the comprehensive permit on June 17, 2021. The project was to include water service from Framingham and sewer service from Natick. However, the developer withdrew its application early in 2022. The Town is continuing discussions with Framingham and Natick to provide those services in hopes of attracting another developer to revive this project or something similar.

Two 40B projects on adjacent sites include a 60-unit apartment building at 41 North Main Street and a 27-unit ownership project off Hunting Lane. There are issues regarding water and sewer service and a 61B property resulting in denial of these projects by the ZBA. They are now in an appeal process.

A project eligibility letter for new 32-unit ownership project on a 14-acre parcel on Farm Road was submitted to MassHousing in May, 2022.

CHAPTER 5

DEVELOPMENT CONSTRAINTS ANALYSIS

This chapter was compiled and written by the Sherborn Housing Partnership. The focus of this chapter is to detail Sherborn's development constraints and limitations. This chapter also includes analysis of environmental constraints, infrastructure capacity, and regulatory barriers. The information presented in this section is largely based on other planning documents, including the 2007 Open Space and Recreation Plan. Note, Appendix F provides maps of water-related and non-water related development constraints, which were prepared by the town planner.

Summary

Sherborn residents have expressed a strong desire to develop affordable housing aesthetically consistent with the rural character of Sherborn and which supports the social vitality, economic diversity and environmental health of the town. To meet the state mandate of 10% affordable housing, Sherborn must address a number of environmental, economic, infrastructure, and regulatory issues. Chief among these are protecting natural resources, especially the water supply; addressing the high cost of land, high taxes, and lack of funds for town-initiated housing projects; developing zoning regulations permitting mixed use, multifamily, and cluster developments and encouraging low-impact developments; and establishing a housing trust or authority to propose specific housing projects, develop town-wide support, and negotiate, coordinate and manage projects.

Environmental Constraints

Specific environmental elements that impact housing development include landscape character, geology, soils, topography, groundwater, freshwater ponds and lakes, plant communities and wetlands, rare and endangered species, critical habitat, scenic views, and hazardous waste sites, as further described below.

LANDSCAPE CHARACTER

Since its settlement in the 1600s Sherborn has been a farming community. Most of Sherborn's soils were untillable, so dairy farming and apple production became the main types of farming. Apple trees grew well in the rocky soils, and by the 1890s one of the town's cider mills was advertised as the largest refined cider mill in the world. Over forty thousand barrels of cider were pressed in one season. "Champagne" cider from the mills of Sherborn was shipped as far away as Europe and Texas. A railroad line was built into town to supply the large volume of apples needed. To this day, the Dowse family continues to own and farm Dowse Apple Orchards as they have done for more than 230 years.

Agricultural activities and open space are allowable in all of Sherborn's districts. Existing farm types include produce farms and commercial stables. Both non-profit and for-profit farms are allowed. Large commercial stables and commercial greenhouse-nurseries are also permissible in all districts, however neither of these types of operations are extant in Sherborn. Under special uses relating to agriculture, horticulture, and floriculture, such activities may take place with few restrictions on parcels over five acres in size. These uses may also take place on parcels smaller than five acres with a minimum setback of one hundred feet from any lot line for related buildings.

Farm Pond, a major feature in Sherborn, is a "Great Pond," a legal term established by the Great and General Court in 1649 to indicate a natural pond greater than 10 acres in size that reserved fishing rights for all settlers. This statute remains in effect today; "Great Ponds," and therefore Farm Pond, must remain open to the public for fishing. Historically, Farm Pond was also an important source for ice cutting. In the late 1800s, up to 3,000

tons of ice per year were cut and stored in several double-walled barns insulated with sawdust. Farm Pond was a water source for the Medfield State Hospital; for that reason, Sherborn's Selectmen were given unusual powers to regulate access to it. Motorboats are not allowed. Today, Farm Pond remains a favored recreation spot where residents swim, fish, sail, and skate.

GEOLOGY

Sherborn's surficial geologic features were formed by glacial deposition and erosion from the advance and retreat of continental ice sheets. The forms of glacial deposition are: glacial till; sand, gravel, and alluvium (sand and gravel mixed with silt and/or clay); and silt and clay. Glacial erosion exposed bedrock at numerous locations throughout town.

SOILS

Sherborn's soils comprise about sixty soil classifications that can be grouped into four major categories, based on the type of glacial deposits that form them: glacial till; well drained soils over glacial outwash deposits of alluvium, and sand and gravel; wetland soils over lake bottom deposits; excessively drained soils over silt and clay deposits.

Glacial till soils are generally situated on uplands, have hardpan fifteen to forty inches below the surface, and have high water tables during the wet seasons. Well drained glacial outwash soils vary in thickness and depth to ground water. Some soil types within this group are suitable for septic systems. Wetland soils (hydric soils) are found along rivers, streams, intermittent streams, and marshes, and are wet for all or most of the year.

Much of Sherborn has constrained soils, with seasonal high water table, hardpan, and bedrock close to the surface making the siting of septic systems difficult.

In evaluating suitability of soils for septic systems, a previous study has classified 60 percent of Sherborn soils as constrained (40 percent) or highly constrained (20 percent), with the remaining 40 percent classified as moderately constrained (10 percent), partially constrained (10 percent), or unconstrained (20 percent).

This finding is consistent with that of the Soil Survey of Middlesex County, which identifies three major soil map units within Sherborn. All three soil map units present "severe limitations for onsite sewage disposal." Some of Sherborn's soils are suitable for agriculture – approximately half of Sherborn's agricultural soils lie over the town aquifer recharge areas where conventional crop treatments could pollute the groundwater supplies.

TOPOGRAPHY

Sherborn lies in the Coastal Lowlands of Middlesex County, generally characterized by rolling hills. The lowest areas in town are in the southeast along the Charles River, with a low point at about elevation 108 feet above sea level where the river exits Sherborn and enters Natick. The highest point in town is Brush Hill in the north central part of town, at about elevation 396 feet above sea level. Steep slopes (greater than 20 percent) are scattered throughout town at hillsides, including Bare Hill, Nason Hill, Pine Hill, Perry Hill, Peter's Hill, and Rocky Narrows. Other areas of town have slopes between 15 percent and 20 percent. Parcels with slopes greater than 15 percent present challenges to development, including storm water management and erosion, transport of sediments and pollutants, and increased risk of septic system failure.

WATERSHED

Sherborn drains surface water to two watersheds. About 18 percent of the land area to the north lies in the Sudbury River watershed. The remaining 82 percent of the land area lies in the Charles River watershed. The Dopping, Bogastow, Dirty Meadow, Sewall, and Indian Brooks flow to the south and east, feeding the Charles River, which forms the southeast boundary of the town as it flows northeast to Boston Harbor. Beaver Dam

Brook and Course Brook flow north, eventually feeding the Sudbury River, which is part of the Sudbury/Assabet/Concord River watershed. Protection of all water resources in Sherborn will help to minimize pollution of these two watersheds.

AQUIFER

Sherborn relies entirely on private wells to supply its water and regards protection of groundwater as one of its highest priorities. A 1989 study of Sherborn aquifers found that the town's northern and western regions were likely to support wells yielding between 50 and 250 gallons of water per minute (low to moderate yield). According to the study, most of Sherborn serves as an aquifer recharge area, with wetlands and sand and gravel deposits contributing the most recharge, and glacial till contributing less recharge. A 2003 study found that two areas in town have high yielding (more than 300 gallons per minute) aquifers: the southeastern area of town along the Charles River, and the area around Farm Pond. The town center area does not have high yield aquifers.

The 2019 Open Space and Recreation Plan identified several risks of contamination of groundwater as follows:

- The Waste Transfer Station just across the Holliston border.
- The area near the Framingham border where a fire station, Framingham's highway department garage, and the Adesa vehicle auction facility are located.
- The Cadillac Paint site (a brownfield site) just over the Ashland border
- Framingham's General Chemical site (a hazardous waste cleanup site) on Leland Street
- Two solid waste facilities at the Natick town line; one in Sherborn, and one in Natick

SURFACE WATER BODIES

Five ponds and the Charles River are the major surface water bodies in Sherborn. Farm Pond and Little Farm Pond are glacial kettle ponds formed when glaciers receded from the area 10 to 14 thousand years ago.

Farm Pond (125 acres) has at its southwest corner a popular town recreational facility offering swimming, fishing, and boating. Skating is popular during colder winters. The pond measures a maximum depth of sixty feet. No power boats are allowed.

Little Farm Pond (23 acres) has two-thirds of its shoreline protected as part of Massachusetts Audubon Society's Broadmoor Sanctuary. Around Little Farm Pond there are opportunities for hiking, viewing wildlife, boating, and fishing.

Ward Parks Pond, a small pond managed by Sherborn's Conservation Commission, is in the center of town and provides limited habitat for wildlife. Water quality has been an issue due to adjacent land uses.

Lower and Upper Mill Ponds are located on the Leland Reservation, managed by Sherborn's Conservation Commission. These two ponds were once home to saw mills. Today, the two ponds and associated wetlands offer excellent wildlife habitat, as well as recreational uses such as hiking and ice-skating in the winter.

The Charles River forms Sherborn's southeast boundary with the neighboring towns of Medfield and Dover. Much of the Sherborn bank of the river is protected as public land, Trustees of Reservations land, or by conservation restriction on private property. This stretch of the river offers excellent canoeing and kayaking both upstream and downstream. Two locations allow access to the river: the Dover side of the Farm Road/Bridge Street Road bridge, and along Route 27 South on the Medfield side.

WATER QUALITY

Wetlands and ledge throughout town have limited the placement of private septic systems and, therefore, private wells, which must be a safe distance apart to maintain the quality of Sherborn's water supply.

The assessment and management of water quality for surface water bodies in Sherborn and all of Massachusetts is a complex program involving federal, state and local agencies, including the Environmental Protection Agency (EPA), Massachusetts Department of Environmental Protection (MassDEP), the Charles River Watershed Association (CRWA), and others.

MassDEP conducts a periodic assessment of major surface water bodies under 314 CMR: Division of Water Pollution Control. In the latest edition – 2013 – the Charles River is designated as a Class B inland water body. Class B waters “are designated as a habitat for fish, other aquatic life, and wildlife, including for their reproduction, migration, growth and other critical functions, and for primary and secondary contact recreation,” i.e., swimming and boating. Class B water is suitable as a source of public water supply with appropriate treatment, shall be suitable for irrigation and other agricultural uses, and shall have consistently good aesthetic value. For comparison, Class A waters are designated as a source of public water supply without treatment, provide “excellent” wildlife habitat and have “excellent” aesthetic value. Therefore, this assessment rates the water quality of the Charles River around Sherborn as good, but not excellent.

A 2011 report that provided the basis for the environmental classification of the stretch of the Charles that borders Sherborn states in part, the following:

- “The Upper/Middle Charles River does not currently meet Massachusetts Water Quality Standards, and is impaired by excessive nutrients, organic enrichment/low dissolved oxygen and noxious aquatic plants, among other impairments.”

The excessive nutrients result in “excessive algae blooms and large extents of aquatic plant growth.” Elevated phosphorus levels are of particular concern, as phosphorus is considered “the controlling nutrient in many surface waters.” The report establishes Total Maximum Daily Loads (TMDLs) to be allowed for phosphorus from various sources, as well as estimates of current phosphorus loads from these sources. For Sherborn, the major phosphorus source is storm water runoff. Good storm water management practices that can help reduce phosphorus levels in the Charles River include increased infiltration (minimizing impervious cover), proper design of storm water drainage systems, managing construction site runoff, and proper management of fertilizer application. As part of the Charles River Watershed, Sherborn's MS4 permit requires the town to reduce impervious surfaces and increase current town-wide infiltration to meet phosphorus reduction standards.

MassDEP together with the Executive Office of Energy and Environmental Affairs and the Bureau of Water Resources also periodically publishes an Integrated List of Waters, which shows the “Condition of Massachusetts' Waters” pursuant to sections of the Clean Water Act. The latest list, published in 2014, shows the following information about three of Sherborn's surface water bodies:

- Farm Pond is classified as a Category 2 water, “attaining some uses; other uses not assessed.” Farm Pond has attained use in the aesthetic category, but was not assessed for aquatic life, swimming or boating.
- Little Farm Pond is classified as a Category 3 water, no uses assessed.
- The Charles River from Outlet Populatic Pond, Norfolk/Medway to South Natick Dam is classified as a Category 5 water, i.e., “requiring a Total Maximum Daily Load”²⁷ for dissolved oxygen saturation, excess algal growth, nutrient/eutrophication biological indicators, dissolved oxygen, phosphorus, and turbidity.

²⁷ A TMDL, or Total Maximum Daily Load, is a calculation of the maximum amount of a pollutant that a water body can receive and still meet its water quality standards.

FLOOD HAZARD AREAS

Areas in Sherborn that are subject to flooding lie along the Charles River and in locations on several of its brooks. Sherborn rarely has been subject to flooding, due to adequate flood storage capacity in its floodplains and wetlands. Areas within the 100-year floodplain are regulated and require the protection of flood storage capacity.

Principal floodplains within Sherborn lie along the Charles River, the lower portion of Sewall Brook, Dopping Brook, and the tributaries of Boggastow Brook. Serious effects from floods have been limited in Sherborn due to the ability of floodplains and wetland areas to store flood waters.

Flooding results when the headwaters no longer have the ability to retain water due to an increase in impervious surfaces, lack of vegetative cover or loss of flood storage area. Preserving the flood preventive aspects of the Charles River headwaters – its floodplains and wetlands – is vitally important to protecting the lower portions of the river from flooding. The Army Corps of Engineers owns or has easements on 250 acres in Sherborn along Dopping and Sewall Brooks. These lands, which have no dams or other flood control structures, are maintained as part of a program to protect important natural flood storage areas in the headwater region of the Charles River.

Areas within the 100-year floodplain fall under the jurisdiction of the Sherborn Conservation Commission. Development in the floodplain is not prohibited, but under the Massachusetts Wetlands Protection Act building in the floodplain requires creating a flood storage area that fully compensates for flood storage replaced by development.

WETLANDS

Approximately 20 percent of Sherborn's land is occupied by wetlands, which are protected resource areas in Massachusetts. Wetlands are valuable to both humans and other species and fulfill a variety of important functions. Sherborn's wetland protection by-law allows the Town to control activities that may have a significant effect on wetland values. The protected values include public and private water supply, groundwater, flood control, erosion control, storm damage, water pollution, and wildlife and wildlife habitat.

Wetlands are found throughout Sherborn in low-lying areas and areas of poor drainage. Sherborn's wetlands are important as animal habitat, for flood control, for filtering out pollutants, for some types of recreation, and as legally protected open space. Sherborn's wetlands are emergent wetlands, forested wetlands, scrub-shrub wetlands, river corridors, and vernal pools.

Major wetland areas in Sherborn include Broadmoor (owned by the Massachusetts Audubon Society), the Charles River, Dirty Meadow Brook, Dopping Brook, and Sewall Brook.

The Army Corps of Engineers has purchased wetland areas surrounding the headwaters of Sewall Brook to protect flood storage capacities in this brook basin and reduce the potential effects of flooding along the Charles River. These areas provide additional benefits as important habitats for wetland wildlife.

Sherborn's wetlands roughly form a series of bands that follow the northwest-to-southeast trend of valleys and ridges in the town. Prior to the passage of the Massachusetts Wetland Protection Act some wetlands were filled for development purposes. Now wetlands are protected open space. Under the Wetlands Protection Act, wetland areas and the 100-foot buffer zones that exist around most types of wetlands are the jurisdiction of the Massachusetts Department of Environmental Protection, which is represented locally by the regulatory

work of the town Conservation Commission. In 1981 Sherborn added a Wetlands Protection By-Law to its General By-Laws, and in 1994 regulations were promulgated by the Conservation Commission to implement and enforce the Wetlands By-Law. The most recent substantive revision of those regulations took place early in 2017. The regulations establish that the first fifty feet laterally outward from a wetland boundary is a No-Alteration Zone that carries a rebuttable presumption that any significant alteration to this zone will have significant adverse effects on adjacent wetlands.

Sherborn may have over 100 vernal pools, or isolated wetlands, which fill with water only during the wettest times of the year. Vernal pools are critical habitat for frogs and other amphibians. Sherborn has nine state-certified vernal pools and dozens of locations that are potential vernal pools.

While some towns have adopted by-laws that require new building lots to contain a certain percentage of upland, Sherborn currently has no such requirement.

VERNAL POOLS

The importance of vernal pools to the conservation of amphibian and invertebrate wildlife, as well as biodiversity more generally across the state, has also been recognized in recent years. Vernal pools that have been officially “certified” by the Massachusetts Division of Fisheries and Wildlife (DFW) receive important protection under several state wetland protection regulations. Since the certification program relies on the public to collect documentation, it has led to a considerable increase in public awareness and participation in the protection of these important wildlife habitats, as well as the state’s other wetland resources, by individuals, community groups, and non-government organizations.²⁸

Two types of vernal pool designation are used in the MassGIS data. The first, referenced above, are those that are certified at the state level and protected under several state laws and regulations. To gain certification, Burne (2001) states that, “Evidence of amphibians or invertebrates using a vernal pool, in addition to proof that the pool does not support an established, reproducing fish population must be presented to the Natural Heritage & Endangered Species Program for certification to obtain official standing as a certified vernal pool under state wetlands protection laws” (p.13). Again, there are currently 9 certified vernal pools in Sherborn.

Certified vernal pools are protected under the Massachusetts Wetlands Protection Act regulations (310 CMR 10.00), Surface Water Quality Standards (314 CMR 4.00), subsurface sewage disposal regulations (Title 5: 310 CMR 15.000) and the Forest Cutting Practices Act regulations (304 CMR 11.00). Burne also states, “Many communities across the Commonwealth have also enacted additional protection through local bylaws (see Appendix A) that can significantly increase the protection of vernal pools beyond that which state regulations provide” (p. 14). While Sherborn doesn’t currently offer any added protection to certified or potential vernal pools, the town’s Conservation Commission is still in the process of revising their regulations and will assess local interests as they relate to vernal pools to see if any added protections are warranted.

The second type of designation in MassGIS data is a “potential vernal pool”, i.e. a likely vernal pool that has not been formally certified by the state. These are not protected by any state regulations. They have been identified in MassGIS through an extensive effort by NHESP at aerial photo interpretation identifying certain tell-tale characteristics.

²⁸ Excerpted from Massachusetts Aerial Photo Survey of Potential Vernal Pools published in 2001 By Natural Heritage and Endangered Species Program ecologist Matthew R. Burne

VEGETATION

Sherborn's variety of open fields, woodland, and wetland vegetation constitute approximately 80 percent of the town and offer great recreational opportunities, as well as ideal habitats for wildlife, water filtration and recharge, and atmospheric cooling. Many open lands are reverting to forest. Rare plant species have been identified in Sherborn and there have been sightings of plant species of special concern. Invasive exotics are proliferating and threaten to dominate some of Sherborn's landscapes.

By 1850, Sherborn's land area was almost entirely deforested. Today approximately 5,500 acres are forested, representing over half of Sherborn's 10,328 acres. Non-forested wetlands, including the areas of Farm Pond and Little Farm Pond, equal approximately 1,000 acres. Open fields, meadows and farmland constitute approximately 1,700 acres.

The upland areas of the town are primarily red oak, white oak, and white pine forests, yet also include hemlock, red maple, black birch, pignut hickory, white ash, American beech, American hop hornbeam, and black oak. The understory vegetation includes witch hazel, American chestnut, lowbush blueberries, flowering dogwood, and poison ivy. The larger trees of the upland forests offer excellent canopy for woodland wildlife and relatively clear understories through which the town's network of trails can easily be enjoyed.

Sherborn's once prolific marsh hay meadows and cranberry bogs have for the most part become forested wetlands that now support such trees as red maple, hemlock, elm, swamp oak, willow, and black gum. The drier sandy edges of these low wet areas may also support white pine. The shrubs highbush blueberry, sweet pepperbush, speckled alder, swamp azalea, and spicebush are prevalent in the understories.

Open wetland area edges are vegetated with buttonbush, poison sumac, winterberry, and rose. The emergent wetland species include cattail, cowslip, and sedge rush. Purple loosestrife and phragmites, invasive exotics, are found in Sherborn's wetlands.

Sherborn's forests are fragmented by fields, roads, and developed areas. The town's inactive pasturelands are reverting to forest through the natural process of plant community succession. Common juniper, eastern red cedar, meadow sweet, grasses, wildflowers, and lowbush blueberry grow in the open areas, while the edge plant communities include poplar, gray birch, dogwoods, raspberry, and blackberry. These edge regions provide an excellent source of food and cover for wildlife. Where protected open fields are valued for their scenic qualities, maintenance to keep these areas open will need to be ongoing. The town has contracted with private farmers to hay some town fields in an ongoing attempt to maintain them as fields.

There are eleven rare plant species known to be native to Sherborn that are included in the Massachusetts Division of Fisheries and Wildlife National Heritage & Endangered Species Program: Andrews' bottle gentian (*Gentiana andrewsii*), adder's-tongue fern (*Ophioglossum vulgatum*), Britton's violet (*Viola Brittoniana*), bush's sedge (*Carex bushii*), dwarf bulrush (*Lipocarpus micrantha*), lion's foot or cankerweed (*Prenanthes serpentina*), long's bulrush (*Scirpus longii*), purple milkweed (*Asclepias purpurascens*), resupinate bladderwort (*Utricularia resupinata*), river bulrush (*Scirpus fluvialis*), and wild senna (*Cassia hebecarpa*).

It is apparent that some of Sherborn's native vegetation is adversely affected by the invasive plant species such as purple loosestrife and bittersweet. If unchecked, invasive exotic species out-compete native vegetation, reduce habitat, and dominate the landscape. Once invasive plants are established, on-going maintenance is required for their control. The following is an up-to-date list of invasive exotic species identified in Sherborn: multi-flora rose (*Rosa multiflora*), common buckthorn (*Rhamnus cathartica*), Japanese knotweed (*Polygonum cuspidatum*), Phragmites, purple loosestrife (*Lythrum salicaria*), garden loosestrife (*Lysimachia vulgaris*), Japanese honeysuckle (*Lonicera japonica*), yellow iris (*Iris pseudacorus* L.), winged euonymus (*Euonymus alatus*), leafy spurge (*Euphorbia esula*), autumn olive (*Elaeagnus umbellata*), Oriental bittersweet (*Celastrus orbiculatus*), Norway maple (*Acer platanoides*), and goutweed (*Aegopodium* L.).

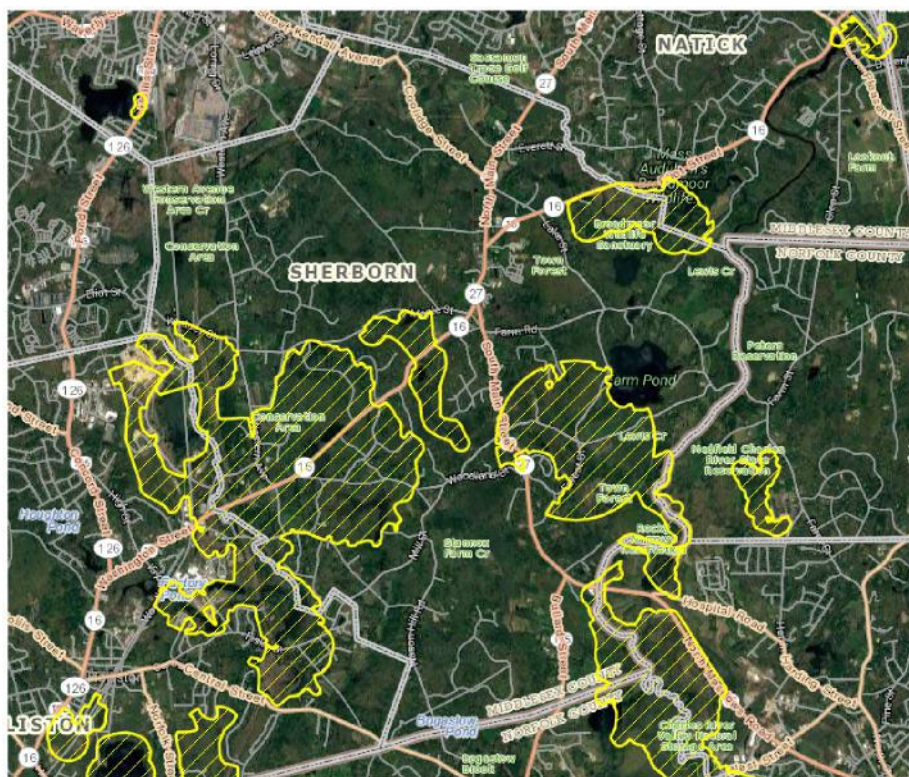
Poison ivy is problematic when it conflicts with human recreational use of town trails. Appropriate control measures will need to be implemented to allow continued use of these outdoor resources. There is currently discussion potentially using pesticides, but no specific or clear policy has yet been formed. Where poison ivy is a problem on trails, re-routing them may be an option since poison ivy berries are a major source of winter food for thirty-five or more species of birds and mammals.

RARE AND ENDANGERED SPECIES

Rare and endangered species in Massachusetts come under the purview of the Natural Heritage and Endangered Species Program (NHESP). In the state, two habitat types have been designated to cover the habitat used by these species. "Priority Habitat" is habitat based on the known geographical extent of habitat for all state-listed rare species, both plants and animals, and is codified under the Massachusetts Endangered Species Act (MESA). "Estimated Habitats" are a subset of the Priority Habitats and are based on the geographical extent of habitat of state-listed rare wetlands wildlife and is codified under the Wetlands Protection Act, which does not protect plants. Each habitat area has particular species associated with it.

Projects that propose actions within Priority Habitat of Rare Species and Estimated Habitat of Rare Wetland Species must file with NHESP for review and approval. Those actions include, but are not limited to, soil or vegetation alteration, grading, excavation, construction of buildings or structures, conversion of agricultural land, dock installation, dredging, pond vegetation management, beach nourishment, bank stabilization, and construction or removal of dams.

The map below shows crosshatched areas in yellow that are Priority or Estimated Habitat, which comprises approximately 20 percent of the town's area.



Source: OLIVER: MassGIS's Online Mapping Tool. <http://maps.massgis.state.ma.us/map/ol/oliver.php>

NHESP provides the following list of rare and endangered species documented in Sherborn:

Taxonomic Group	Scientific Name	Common Name	MESA Status*	Most Recent Observation
Vascular Plant	<i>Scirpus longii</i>	Long's Bulrush	T	2008
Amphibian	<i>Ambystoma laterale</i>	Blue-spotted Salamander	SC	2007
Reptile	<i>Terrapene carolina</i>	Eastern Box Turtle	SC	2007
Reptile	<i>Emydoidea blandingii</i>	Blanding's Turtle	T	2005
Reptile	<i>Glyptemys insculpta</i>	Wood Turtle	SC	1986
Butterfly/Moth	<i>Satyrus favonius</i>	Oak Hairstreak	SC	1964
Beetle	<i>Cicindela purpurea</i>	Cow Path Tiger Beetle	SC	1950
Vascular Plant	<i>Nabalus serpentarius</i>	Lion's Foot	E	1946
Beetle	<i>Cicindela duodecimguttata</i>	Twelve-spotted Tiger Beetle	SC	1935
Vascular Plant	<i>Asclepias purpurascens</i>	Purple Milkweed	E	1917
Vascular Plant	<i>Carex bushii</i>	Bush's Sedge	E	1913
Vascular Plant	<i>Gentiana andrewsii</i>	Andrews' Bottle Gentian	E	1911
Vascular Plant	<i>Lipocarpha micrantha</i>	Dwarf Bulrush	T	1911
Vascular Plant	<i>Senna hebecarpa</i>	Wild Senna	E	1911
Vascular Plant	<i>Utricularia resupinata</i>	Resupinate Bladderwort	T	1911
Beetle	<i>Cicindela rufiventris hentzii</i>	Eastern Red-bellied Tiger Beetle	T	1894
Vascular Plant	<i>Ophioglossum pusillum</i>	Adder's-tongue Fern	T	1876
Mussel	<i>Alasmidonta varicosa</i>	Brook Floater (Swollen Wedgemussel)	E	Historic
Amphibian	<i>Ambystoma jeffersonianum</i>	Jefferson Salamander	SC	Historic
Butterfly/Moth	<i>Metarranthus apiciaria</i>	Barrens Metarranthus	E	Historic

*SC = Special Concern, T = Threatened, E = Endangered

SCENIC RESOURCES

Sherborn is a small New England town, whose early history as a farming community has shaped, and continues to guide, its later development as a residential "commuter community" of Boston. This blend of rural and residential is seen in the town's natural and built environments. Sherborn's rural heritage is everywhere apparent: winding "scenic roads", stone walls, open fields, woods, wetlands, farms, stables, orchards, and historic cemeteries. The town center, which extends along North and South Main Street and upper Washington Street, includes a small business district, public buildings and facilities, a municipal campus, three churches, and an historic district. Private residences are interspersed throughout the town center; most are historic homes. Many 18th and 19th century homes still stand along the oldest roads in Sherborn, and the 20th century homes built in Sherborn's residential neighborhoods are predominantly traditional capes, colonials, or farmhouses.

Because the town is entirely dependent on private wells and septic systems, house lots are large, which also preserves the town's rural character. Over half the town is undeveloped open space: there is town-owned forest, conservation land, and outdoor recreation areas; privately owned forest, agricultural and recreational lands established through tax abatements (MGL chapters 61, 61A and 61B0), as well as privately owned land with easements or conservation restrictions; and large tracts of land are owned and conserved by non-profits – the Trustees of Reservation, the Massachusetts Audubon Society, and the Rural Land Foundation. Whether publicly held or privately owned, almost all the open space in Sherborn is publicly accessible: there are extensive networks of walking and riding trails throughout Sherborn's woods, conservation lands, and recreation areas, including a section of the Bay Circuit Trail (a 200-mile recreational trail and greenway through eastern Massachusetts). Equally important, the open space in Sherborn provides abundant wildlife habitats, and it is easy to observe a wide variety of birds and animals. The Charles River forms the eastern boundary of Sherborn; together with Farm Pond, a "great pond" of Massachusetts and Little Farm Pond, these three bodies of water are perhaps the most treasured scenic resources of Sherborn, offering ever-changing waterscapes and countless opportunities for recreation and reflection. The overall character of Sherborn is that of an oasis in the midst of rapid development.

HAZARDOUS WASTE SITES

According to the MA Department of Environmental Protection online database, Sherborn has had twenty-two reportable releases of hazardous materials at nineteen locations. Remediation work has occurred at all sites: at fifteen sites remediation is complete and no further action is required; at two sites (26 North Main Street and 21 South Main Street) remediation is complete and monitoring continues; at one site (intersection of Farm and Forest Streets) remediation is complete with an activity and use limitation; and at one site (237 Washington Street) remediation work is ongoing.

There are hazardous waste sites in neighboring towns that may impact Sherborn, among them: General Chemical Corporation on Leland Street and ADESA Boston on Western Avenue in Framingham; Cadillac Paint and Varnish Company on Eliot Street in Ashland; several sites on Washington Street and vicinity in Holliston; the Recycling Center on West Street in Natick and Medfield State Hospital on Hospital Road in Medfield.

Infrastructure Capacity

SCHOOLS

The Sherborn public schools are among the highest-ranked in the Commonwealth and are the primary reason many move to Sherborn. The public schools, both local (Pine Hill Elementary School, located in Sherborn), and regional (Dover-Sherborn Regional Middle and High Schools, located in Dover), receive strong support from all residents because of the widely shared commitment to education, and because the excellence of the public schools supports residential property values.

The Pine Hill Elementary School was built in 1957 and was most recently renovated and enlarged in 1999. Further expansion at the current site is not deemed feasible. Pine Hill's current enrollment²⁹ is 430 students; in the past ten years, the peak enrollment was 470 students (2007-9); in the next five years, enrollment is projected³⁰ to increase by 20 students. Pine Hill's official occupancy capacity is 550.

The Dover-Sherborn Regional Schools and campus were extensively renovated and expanded through a building project from 2001- 2006; the Middle School's current enrollment is 527 and the High School's is 652, for a total of 1179; in the past ten years, the peak enrollment was 550 at the Middle School (2010-11) and 664 at the High School (2015-16); in the next five years, enrollments at the Middle and High Schools are projected to decrease slightly. This year 44.2 percent of the regional schools' students are from Sherborn. The current regional school buildings can accommodate moderate increases in enrollments; the regional school campus is spacious and could accommodate further facilities development.

TRANSPORTATION

Sherborn is centered along well-trafficked regional roads and is near interstate highways and the commuter rail system, although no commuter rail stations are in Sherborn.

Roadways

Sherborn has three different levels of roadways: regional, farm-country roads, and newer subdivision streets. Routes 16 (east-west) and 27 (north-south) both travel through downtown converging into one very congested street in the center of town and then splitting into their respective routes again just south of the town center. route 115 joins route 27 just south of town and routes traffic into Millis and Route 109. route 16 routes traffic east to Natick and Wellesley and to route 128-95 and west to Holliston and Milford and route

²⁹ All enrollment numbers and projections are taken from the Dover Sherborn Administration's 2016 October enrollment reports and five year projections.

³⁰ Sherborn school enrollment projections are not accurately predicted by the most commonly used metrics, as the most significant factor affecting school age population is real estate sales, specifically the turn-over of "empty-nests" to families with school-age children.

495. Route 27 routes traffic southbound to Medfield, route 109, and eventually 1-95 and northbound to Natick and route 9. Sherborn's farm-country roads are very narrow, winding, and usually lined with shade trees and stone walls. Subdivision streets were created beginning in the early 1960s and are found primarily off the farm-country roads. Many of these subdivision streets end in cul-de-sacs. Most of the Sherborn's roadway system is governed by the town. Routes 16 and 27 are under Mass Highway jurisdiction.

Sherborn experiences peak hour traffic very similar to its small neighboring towns of Medfield and Dover. All these towns have one to two primary thoroughfares that take traffic to and from the Massachusetts Turnpike (I-90), Route 9, Route 495, Route 128, or to downtown Boston. Three major congestions occur all focused on Route 27 and Route 16 with minor congestion at three other locations. There is only one full signal that controls the convergence of Routes 16 and 27 just north of the town center, a stop sign controlling the divergence of these 2 routes just south of the town center, and only a stop sign controlling traffic at Route 115 and Route 27. Adding further to the morning peak hour congestion is the town's elementary school that sits at the Route 16 - Route 27 convergence on the north side. The town has performed various traffic studies over the years to address the peak hour traffic volume without any further action. Three other farm-country roads help feed the traffic into Route 16-27 intersection: Farm Road, the only direct road from Dover to Sherborn, feeds into Route 27, south of town; Coolidge Street, intersecting with Route 27 north of town, feeds traffic to and from West Natick-Framingham and is the key road leading to the Mass Pike; and Maple Street which feeds traffic indirectly from Ashland onto Route 16 just south of town.

Finally, there are some small tributary streets that create shortcuts from Route 16 and Route 27 including the most troublesome, which is Sanger Street. Sanger intersects Route 16 only about 100 yards from the southern junction of Route 16 and Route 27, at the intersection of Route 16 and Maple Street, and also at Route 27 at another bisecting street, Sawin, and only a hundred feet from Farm Road creating a bottleneck. It also passes the town's Library parking access and access to other high frequency parking-access areas creating a safety hazard.

MassDOT's last formal traffic counts are dated and sporadic. A traffic count on North Main Street (where Routes 16 and 27 are coterminous) showing average daily traffic of more than 25,000 vehicle was taken in June 2019. As would be expected, more recent counts in May 2022 showed counts of about 20,000. By means of comparison, traffic counts taken on Route 9 in Natick and Framingham in 2005 indicated an ADT of over 50,000 to 60,000 in the Framingham-Natick corridor. On Route 109 in Medfield a 2001 count east of Route 27 totaled 28,500 and almost 16,000 ADT east of Route 115.

High traffic counts can be indicative of traffic congestion. On the other hand, high traffic counts are attractive to most retail businesses because they increase both visibility and the pool of potential customers.

Rail

There is one active rail line in town. This is a freight line that runs a maximum four times per day traveling just along the backside of the town center crossing at grade just south of the town's center. The line is owned by the Mass DOT and is leased long term to CSX Transportation, who in turn has sublet the line for freight to Mass Coastal, which operates on Cape Cod and Southeastern MA. Longer term, the state could allow periodic passenger trains from the Framingham line to run to Gillette Stadium in Foxborough for sports and concert events.

There is, however, no plan for a new commuter train. In the medium term, the state has invested in upgrading the railroad track's weight and speed capacities but has given no definitive reason for the upgrade except for the MBTA commuter rail segment running from Walpole to Gillette. One possible reason might be to provide transportation capacity from the Fall River and New Bedford shipping ports to the main national east-west bound Framingham freight line. This could lead to increased rail traffic passing through the town. The closest commuter rail stations are at West Natick and Natick Center.

Bus

There is no public transportation available in Sherborn. In 2009-2010, there was a pilot program tested for a downtown stop operating twice per day by the MetroWest Regional Transit Authority ("MWRTA")³¹ shuttle van service. This test showed insufficient ridership and was discontinued after 6 months. Citizens can access MWRTA in Natick, by driving just a couple miles north of Sherborn.

Walking and Bicycling

Sherborn recently expanded its sidewalk system in the town center by adding a new sidewalk on the east side of North Main Street (Rte. 27-Rte.16) with assistance from both the Complete Streets and Housing Choice grant programs. An additional new sidewalk is being added to Sanger Street which connects the Town campus (Town Hall, Police Station, Library and Community Center) with a pedestrian-activated crosswalk signal on South Main Street and the businesses and religious institutions located in that area. There are no bike paths or lanes in the town center or leading to nearby neighborhoods. The town's farm-country roads are relatively bike friendly on the weekends due to low traffic, but they have no shoulders for increased safety. However, a new connection to the Upper Charles Trail was recently completed through an easement across the Meadows Edge at Whitney Farm housing development along with a 4-car parking lot. The connection now provides access to a rail trail which currently traverses Holliston and Milford with more expansion planned.

According to Walk Score (www.walkscore.com), Sherborn has a walk score of 26, which indicates that it is a very car-dependent community where errands require a car.

DRINKING WATER SUPPLY

The residents of Sherborn obtain their water supply solely from ground water through on-site privately owned wells. There is no public water supply system operated either by the town or by any private water company. Older homes generally depend on shallow "point" or driven wells, which were installed in shallow sands, gravels, and glacial tills overlying bedrock. Well depths of point wells are generally up to twenty feet. Shallow drilled wells are typically thirty to seventy-five feet in depth (Town of Sherborn 1996). Yield and quality of the shallow wells depend on the type of strata and land use around the wells.

On-site water supply wells associated with new construction are usually drilled into fractured bedrock. The yield and well-depth are quite variable depending on the extent and intensity of the fractures, or by the chance of a particular well intersecting a strongly fractured rock or a large open fracture system. Well depths typically vary from 150 feet to 500 feet or more. Well yields may be as low as one-half gallon per minute or as high as twenty gallons per minute or greater (Town of Sherborn 1996). The town's private on-site wells are fed in most cases by recharge via the water in overlying soils and from a regional groundwater flow system of unknown source or extent.

The Sherborn Board of Health regulations require all new wells provide a minimum yield of two gallons per minute at the well head. Water quality testing is required at the time of drilling for a series of bacterial, chemical, and physical characteristics which include thirty-five volatile organic compounds and two heavy metals. Water quality must comply with U.S. Environmental Protection Agency and State standards for all parameters measured, or otherwise be treated to obtain approved water quality. If volatile organics or excessive heavy metals or sodium are detected, an instrument must be recorded at the Registry of Deeds, which runs with the property and provides notice to any future owners of the water quality characteristics and the need for proper operation and maintenance of a treatment system. Ongoing testing of water quality for private wells is not required.

³¹ The MWRTA was formed in 2006 by the state legislature to help serve the public transportation needs of the 32-town corridor known as the I-495/MetroWest corridor. The MWRTA is funded by Federal and State Agencies, local assessments and fare box recovery. The MWRTA is responsible for fixed bus routes and para-transit routes, which mimic the normal bus routes, but provide a smaller bus with lift capability for the disabled and physically challenged individual. The system primarily serves Natick, Southborough, Framingham, Marlborough, and Hudson with general schedules that reach many stops in these towns. It makes peak hour stops at the commuter rail stations in Framingham, Natick, and Southborough.

Due to the fragile nature of the water supply, the town's upper soils must be protected against contamination from septic systems, surface run-off, road salt, and hazardous chemicals. Present septic system standards, existing zoning, and local Board of Health regulations currently provide mechanisms for sufficient treatment and dilution of wastewater contaminants, and for the separation of water supply and contaminated waters in the residential areas. The more densely developed business and commercial area is not as protected, and some wells in the town's business center do not meet drinking water standards, requiring the use of bottled water or the installation of treatment systems.

The town has seven wells that are classified as "non-transient, non-community" public water supplies and are, therefore, periodically monitored by the state. These include individual wells at the Town Offices and Pine Hill Elementary School, three wells at the Woodhaven elderly housing complex, and one well at Leland Farms affordable housing complex. Because of the scarcity of high yield aquifers, the entire town must be considered a water supply area and protected from contaminants.

At the same time, the possibility that a municipal water system may be considered in the long term obliges the town to take steps to protect the high yield aquifers on its northeastern, eastern, and southeastern borders, the moderate yielding aquifers on its northwestern and western boundaries, and in the central area and Farm Pond.

WASTEWATER TREATMENT

Currently Sherborn does not have a municipal sewer system. The town has embarked on a study to determine the feasibility and cost of municipal water and sewer utilities in the town center. It is looking to determine if any benefits arising from such a system outweigh the costs. The lack of a municipal system constrains existing businesses such as restaurants and medical practices from adding additional seating capacity or restrooms. In addition, this problem might be preventing additional businesses from locating in the town center.

Regulatory Barriers

The Sherborn zoning bylaw promotes low density housing development with minimal provisions for encouraging diversity of housing options or affordable housing, except the multidwellings provisions. The Sherborn zoning bylaw has five residential districts (RA, RB, RC, EA, and M) and two business districts (B-P and B-G).

- Residence A (RA) has one-acre minimum lot size
- Residence B (RB) has two-acre minimum lot size
- Residence C (RC) has three-acre minimum lot size
- Residence Elderly Affordable (EA) was added in 1991 and allows affordable as well as age-restricted housing
- Residence Multifamily (M) was added in 1979, amended 2008 (Note: This district was intended to allow age-restricted housing only; however, no land has been zoned as this district. Subsequently, the town created the EA district which has since been merged with this Multifamily district.)

Most of the town's land is zoned RA, RB, and RC with small pockets of business districts and EA and M. The following description of Sherborn's zoning districts is excerpted from the 2004 Sherborn Community Development Plan:

The town's zoning districts reflect the varying character of its natural resources and pattern of development. The zoning districts divide the town into four major districts and a variety of smaller commercial and mixed use zones. With minor exceptions, single family zoning predominates.

The Main Street Town Center zone (RA) encompasses North and South Main Street (Route 27) and a portion of Route 16, with a minimum lot size of one acre. Within the Town Center are two commercial districts, General Business and Business Professional, as well as a Residence EA (Elderly and Affordable), the latter permitting 4 units per acre density.

The sector to the east of the Town Center is the Farm Pond Scenic Zone (RC). This is the area of town with the most historic and scenic resources. It is also the locus of the town's major aquifer, and has a minimum lot size of 3 acres.

The Charles River Southern Glacial Till Zone District is located to the west of Route 27 and south of Route 16. In the interests of protecting the DEP Zone II for Medfield, this district also has RC designation, with a minimum lot size of 3 acres.

The fourth residential zoning district is the Western Meadow and Forest Glacial Till zone (RB), which has a minimum lot size of 2 acres.

Single family detached dwellings are permitted in all districts as are **accessory apartments**. Accessory units, which are permitted by special permit for up to 4 years (and renewable for like terms), are restricted to the lesser of 1200 square feet and the single family character of the premises must be retained.

Low or Moderate income apartments are permitted in all districts as an accessory unit up to the lesser of 1200 square feet or up to 30 percent of gross floor area of the dwelling, permitted through a special permit that expires automatically in two years and may be extended for two year increments. The bylaw appears to anticipate that these units will count on the SHI as "Local Initiative Unit"; however, these units would not appear to be eligible under current provisions for this program, now called a "Local Action Unit" program, because the special permit expiration would not provide long-term affordability (at least 30 years), and there is no requirement or procedures to assure the units are affirmatively and fairly-marketed.

The bylaw permits **renting rooms** for up to four unrelated persons.

Multidwellings (a building with two or more units) are permitted by special permit in the EA districts for elderly households (at least one member of the household is 55 years of age or older) or for affordable units with at least 25 percent of units restricted as affordable and meeting the requirements to be included on the SHI. The purpose of the EA district is to provide elderly housing and/or affordable housing and to allow greater flexibility in land use planning.

There are three areas designated as an EA district, two of which are built out. One is in the northernmost section of town near the Framingham line, and includes a 24-unit condominium building; The other is near the town center. It includes 3 projects. Two townhouse projects total 35 units (10 affordable) and a 24 unit (6 affordable) apartment complex for the elderly. Lots must have at least six acres to be rezoned for EA district.

Density requirements limit the EA district to no more than four units per acre and no more than eight dwelling units in one building. The provisions also restrict the unit size to no more than three bedrooms. The Planning Board may waive the eight-unit maximum per building with respect to the requirements for ADA and handicapped access if the building is "harmonious and appropriate for the particular location and consistent with the architectural traditions of the Town."

Open Space Subdivisions: Per Section 4.5 of the bylaw, the town allows cluster subdivisions to preserve open space as of right. A special permit is required to develop a conventional subdivision. The bylaw provides certain flexibility to vary dimensional requirements. There are no density bonuses offered for public benefits and no incentives offered for inclusion of affordable units.

Planned Unit Development (PUD): PUD's are permitted by special permit to provide an alternative to traditional business development in the Town Center or providing other public benefits through greater flexibility in site design and mix of uses. Front yard setbacks may be reduced to 20 feet or to equal a pre-existing nonconforming building on the lot, and side and rear setbacks must be 30 feet for parcels outside the PUD and in a Residence district. There are no provisions or incentives offered for inclusion of affordable units.

Assisted Living Facility: The bylaw permits assisted living facilities in the Business G District and EA districts for which Town Meeting Preliminary Development Plan Approval has been granted. This provision was added in 1998 and amended in 2013.

HISTORIC DISTRICTS

Sherborn has one Local Historic District – Sherborn Center Local Historic District – that is bounded by North Main, South Main, and Washington Streets and consists of fifteen properties. The Town established this district in 1983, and the Sherborn Historic District Commission administers the district under Section 8 of the Zoning bylaw. Towns may establish local historic districts to protect historic resources. Property owners must submit any exterior changes that are visible from a public way, park, or body of water to a local district commission for approval. A variety of exterior features are often exempt such as air conditioning units, storm doors, storm windows, paint color, and temporary structures. The decision on which features are exempt from review depends on the specifics of the local bylaw.

In addition, the town has two National Register Districts (The Sherborn Center Historic District and the Edwards Plain-Dowse's Corner Historic District). National Register Districts do not restrict private use or changes to properties but do provide rehabilitation tax incentives for owners of income-producing properties and provide limited protection from adverse effects of federal and state projects.

LOCAL WETLANDS BYLAW

The Town of Sherborn has a local wetlands protection bylaw (Chapter 17) and associated regulations that are more protective of the 100-foot buffer zone than state regulations and require varying levels of permitting depending on the extent of work in this zone and wetland resource impacts. Nevertheless, the local regulations do provide exemptions for minor activities.

CHAPTER 6

IMPLEMENTATION CAPACITY & RESOURCES

Sherborn's capacity and resources for implementation of affordable housing initiatives is extremely limited. The town has not adopted the Community Preservation Act, does not receive any federal Community Development or HOME funds, and does not have a municipal affordable housing trust or similar entity. The primary town entities that can provide implementation for housing initiatives are the Sherborn Affordable Housing Trust, Select Board, Town Planner, and Planning Board. In addition, the regional planning agency has provided additional capacity for planning initiatives in general and may be an additional resource the town can tap into for help with implementation of housing initiatives.

The Town of Sherborn executive body is a five-member elected Select Board. The Town is managed by a Town Administrator, who is appointed by the Select Board. The legislative body is a Town Meeting.

Sherborn Housing Partnership/Affordable Housing Trust

In 2016, Sherborn reconstituted the Housing Partnership, which had been inactive for several years. The Housing Partnership oversaw implementation of the 2017 Housing Production Plan. After a period of inactivity, it was sunsetted on the basis that the Planning Board and the newly-formed Municipal Affordable Housing Trust (MAHT) could assume many of its duties in addition to the powers of the MAHT. The MAHT has no financing source at present. An Affordable Housing Bylaw (inclusionary zoning) was adopted in 2020 that provides for in-lieu payments to the AHT. The Select Board has appointed members to a Board of Trustees to oversee the use of MAHT funds and it has the power to acquire, sell, lease, and improve property, with the consent of the Select Board, to allocate trust funds for these purposes. Trust funds can include allocations of the town's general funds, private donations, revenue from sale of property interest, and Inclusionary Zoning payments,

Sherborn Planning Board

The Planning Board consists of five members who are elected to three-year terms and an associate member who is appointed by the Town Moderator for a two-year term. The Board reviews and approves applications for permits as required by the Town's bylaws, reviews and approves subdivisions and developments, and conducts site plan reviews. From time to time the Planning Board proposes and amends zoning bylaws for Town Meeting approval. The Planning Board led the town's effort to prepare an updated Master Plan in 2019, per MGL c.41 s.81D.

Sherborn Town Planner

The Planning Board is staffed with a part-time town planner. The Town Planner provides technical expertise to town officials and property owners regarding development review, impact, and mitigation, as well as community development policies including affordable housing and economic development.

Metropolitan Area Planning Council

The Metropolitan Area Planning Council (MAPC) is the regional planning agency serving the people who live and work in the 101 cities and towns of Metropolitan Boston. Its mission is to promote smart growth and regional collaboration. Its regional plan, MetroFuture, guides its work as it engages the public in responsible stewardship of the region's future.³²

Sherborn is part of the SouthWest Advisory Planning Committee, a subregion within the Metropolitan Area comprised of ten communities southwest of Boston. The purpose of the committee is to foster cooperation among the communities, particularly regarding transportation, land use, economic development, housing, historic preservation, water resources, and environmental issues.

MAPC provides technical assistance to help promote regional collaboration, economic development, better land use and zoning, and environmental protection that is funded through the District Local Technical Assistance (DLTA) and Planning for MetroFuture Technical Assistance (PMTA).

³² Excerpted from www.mapc.org.

APPENDIX A

DHCD AFFIRMATIVE FAIR HOUSING MARKETING GUIDELINES

The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. Therefore, all housing with state subsidy or housing for inclusion on the SHI shall have an Affirmative Fair Housing Marketing Plan. To that end, DHCD has prepared and published comprehensive guidelines that all agencies follow in resident selection for affordable housing units.

In particular, the local preference allowable categories are specified:

- *Current Residents.* A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing, or voter registration listing.
- *Municipal Employees.* Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
- *Employees of Local Businesses.* Employees of businesses located in the municipality.
- *Households with Children.* Households with children attending the locality's schools.

These were revised on June 25, 2008, removing the formerly listed allowable preference category, "Family of Current Residents."

The full guidelines can be found here: <http://www.mass.gov/hed/docs/dhcd/hd/fair/afhmp.pdf>.

APPENDIX B

INTERAGENCY BEDROOM MIX POLICY

INTERAGENCY AGREEMENT

Regarding Housing Opportunities for Families with Children

This Interagency Agreement (this "Agreement") is entered into as of the 17th day of January, 2014 by and between the Commonwealth of Massachusetts, acting by and through its Department of Housing and Community Development ("DHCD"), the Massachusetts Housing Partnership Fund Board ("MHP"), the Massachusetts Housing Finance Agency (in its own right and in its capacity as Project Administrator designated by DHCD under the Guidelines for Housing Programs in Which Funding is Provided By Other Than a State Agency, "MassHousing"), the Massachusetts Development Finance Agency ("MassDevelopment") and the Community Economic Development Assistance Corporation ("CEDAC"). DHCD, MHP, MassHousing, MassDevelopment and CEDAC are each referred to herein as a "State Housing Agency" and collectively as the "State Housing Agencies".

Background

A. DHCD's 2013 Analysis of Impediments to Fair Housing Choice ("AI") includes action steps to improve housing opportunities for families, including families with children, the latter being a protected class pursuant to fair housing laws, including the federal Fair Housing Act, as amended (42 U.S.C. §§ 3601 *et seq.*) and Massachusetts General Laws Chapter 151B. In order to respond to development patterns in the Commonwealth that disparately impact and limit housing options for families with children, such steps include requiring a diversity of bedroom sizes in Affordable Production Developments that are not age-restricted and that are funded, assisted or approved by the State Housing Agencies to ensure that families with children are adequately served.

B. The State Housing Agencies have agreed to conduct their activities in accordance with the action steps set forth in the AI.

C. This Agreement sets forth certain agreements and commitments among the State Housing Agencies with respect to this effort.

Definitions

1) "Affordable" - For the purposes of this Agreement, the term "Affordable" shall mean that the development will have units that meet the eligibility requirements for inclusion on the Subsidized Housing Inventory ("SHI").

2) "Production Development" - For purposes of this Agreement "Production Development" is defined as new construction or adaptive reuse of a non-residential building and shall include rehabilitation projects if the property has been vacant for two (2) or more years or if the property has been condemned or made uninhabitable by fire or other casualty.



Agreements

NOW, THEREFORE, DHCD, MHP, MassHousing, MassDevelopment and CEDAC agree as follows:

Bedroom Mix Policy

1) Consistent with the AI, it is the intention of the State Housing Agencies that at least ten percent (10%) of the units in Affordable Production Developments funded, assisted or approved by a State Housing Agency shall have three (3) or more bedrooms except as provided herein. To the extent practicable, the three bedroom or larger units shall be distributed proportionately among affordable and market rate units.

2) The Bedroom Mix Policy shall be applied by the State Housing Agency that imposes the affordability restriction that complies with the requirements of the SHI.

3) The Bedroom Mix Policy shall not apply to Affordable Production Developments for age-restricted housing, assisted living, supportive housing for individuals, single room occupancy or other developments in which the policy is not appropriate for the intended residents. In addition, the Bedroom Mix Policy shall not apply to a Production Development where such units:

- (i) are in a location where there is insufficient market demand for such units, as determined in the reasonable discretion of the applicable State Housing Agency; or
- (ii) will render a development infeasible, as determined in the reasonable discretion of the applicable State Housing Agency.

4) Additionally, a State Housing Agency shall have the discretion to waive this policy (a) for small projects that have less than ten (10) units and (b) in limited instances when, in the applicable State Housing Agency's judgment, specific factors applicable to a project and considered in view of the regional need for family housing, make a waiver reasonable.

5) The Bedroom Mix Policy shall be applicable to all Production Developments provided a Subsidy as defined under 760 CMR 56.02 or otherwise subsidized, financed and/or overseen by a State Housing Agency under the M.G.L. Chapter 40B comprehensive permit rules for which a Chapter 40B Project Eligibility letter is issued on or after March 1, 2014. The policy shall be applicable to all other Affordable Production Developments funded, assisted, or approved by a State Housing Agency on or after May 1, 2014.

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APPENDIX C

COMPREHENSIVE PERMIT DENIAL & APPEAL PROCEDURES

(a) If a Board considers that, in connection with an Application, a denial of the permit or the imposition of conditions or requirements would be consistent with local needs on the grounds that the Statutory Minima defined at 760 CMR 56.03(3)(b or c) have been satisfied or that one or more of the grounds set forth in 760 CMR 56.03(1) have been met, it must do so according to the following procedures. Within 15 days of the opening of the local hearing for the Comprehensive Permit, the Board shall provide written notice to the Applicant, with a copy to the Department, that it considers that a denial of the permit or the imposition of conditions or requirements would be consistent with local needs, the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation. If the Applicant wishes to challenge the Board's assertion, it must do so by providing written notice to the Department, with a copy to the Board, within 15 days of its receipt of the Board's notice, including any documentation to support its position. The Department shall thereupon review the materials provided by both parties and issue a decision within 30 days of its receipt of all materials. The Board shall have the burden of proving satisfaction of the grounds for asserting that a denial or approval with conditions would be consistent with local needs, provided, however, that any failure of the Department to issue a timely decision shall be deemed a determination in favor of the municipality. This procedure shall toll the requirement to terminate the hearing within 180 days.

(b) For purposes of this subsection 760 CMR 56.03(8), the total number of SHI Eligible Housing units in a municipality as of the date of a Project's application shall be deemed to include those in any prior Project for which a Comprehensive Permit had been issued by the Board or by the Committee, and which was at the time of the application for the second Project subject to legal appeal by a party other than the Board, subject however to the time limit for counting such units set forth at 760 CMR 56.03(2)(c).

(c) If either the Board or the Applicant wishes to appeal a decision issued by the Department pursuant to 760 CMR 56.03(8)(a), including one resulting from failure of the Department to issue a timely decision, that party shall file an interlocutory appeal with the Committee on an expedited basis, pursuant to 760 CMR 56.05(9)(c) and 56.06(7)(e)(11), within 20 days of its receipt of the decision, with a copy to the other party and to the Department. The Board's hearing of the Project shall thereupon be stayed until the conclusion of the appeal, at which time the Board's hearing shall proceed in accordance with 760 CMR 56.05. Any appeal to the courts of the Committee's ruling shall not be taken until after the Board has completed its hearing and the Committee has rendered a decision on any subsequent appeal.

Source: DHCD Comprehensive Permit Regulations, 760 CMR 56.03(8).

APPENDIX D

SUBSIDIZED HOUSING INVENTORY

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Sherborn

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
2764	Leland Farms	Leland Drive	Ownership	10	2098*	No	DHCD
2765	Woodhaven	Village Way	Rental	24	peip	No	DHCD
							DHCD
4454	DDS Group Homes	Confidential		0	N/A	No	DDS
10613	Coolidge Crossing	84-86 Coolidge St	Rental	120	Peip	YES	DHCD
10620	The Fields at Sherborn	247A Washington Street	Ownership	8	peip	YES	MassHousing
10634	North Main Street Village	59 North Main Street	Ownership	2	peip	YES	MassHousing
							MassHousing
10659	Meadows Edge at Whitney Farm	59 Whitney Street	Ownership	4	peip	YES	MassHousing
Sherborn Totals				168	Census 2010 Year Round Housing Units		1,479
					Percent Subsidized		11.36%

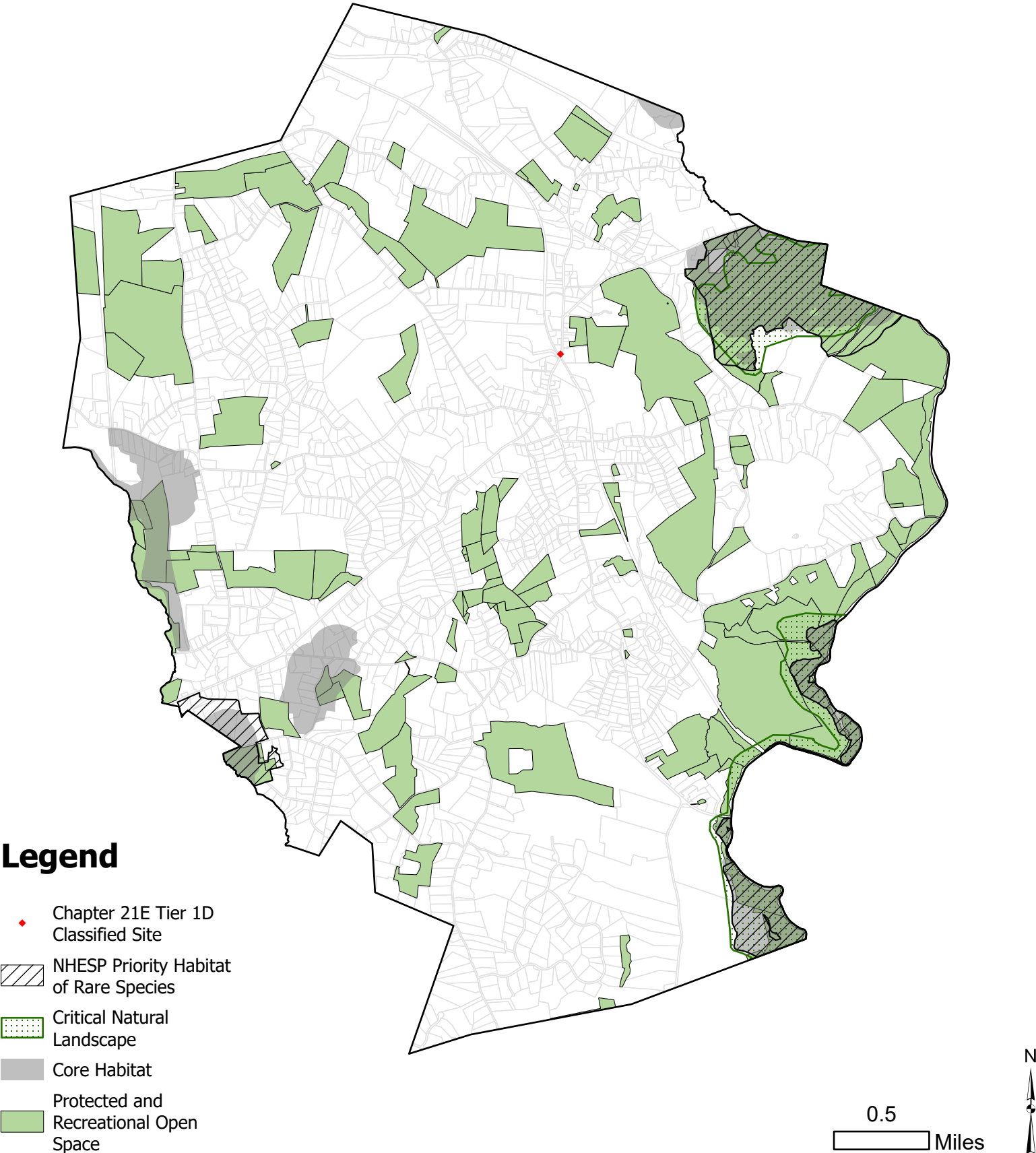
Note: Coolidge Crossing is currently on hold, and building permits were not issued within 12 months of approval of the comprehensive permit. Subtracting those 120 units results in 48 units and a percentage of 3.2%.

APPENDIX E

DEVELOPMENT CONSTRAINTS MAPS

Maps have been inserted as proceeding 2 pages

Development Constraints - Non-Water Related



Development Constraints - Water Related

