
2023

TOWN OF UPTON

HOUSING

PRODUCTION

PLAN

Prepared by
Upton Housing Production Plan Committee

With technical assistance from
Central Massachusetts Regional Planning Commission



The Upton Housing Production Plan (HPP) is a strategic plan for facilitating new housing that meets the needs of the Upton community. The HPP is established in community input, data and market trends, and zoning and policy analysis to create a guiding document for local planning and decision-making on housing.

A Housing Production Plan is a way for municipalities to better understand local housing need & demand, development constraints & opportunities, plus create a vision for future affordable housing. This five-year plan, approved by the Executive Office of Housing and Livable Communities (EOHLC), identifies ways that Upton can work towards achieving the 10% affordable housing threshold mandated by M.G.L. Chapter 40B.

The development of this HPP was guided by regular meetings of the Upton Housing Production Plan Committee, Upton Town staff, and the Central Massachusetts Regional Planning Commission. Input from the community was gathered through an 18-question Housing Needs Community Survey, which collected 356 responses. A hybrid in-person/remote public workshop was held on March 16, 2023 to present the findings of the survey and engage in discussions on future housing opportunities for Upton.

As of 2023, Upton's Subsidized Housing Inventory (SHI) consists of 189 units, or 6.37% of its year-round housing stock. This Housing Production Plan recommends a set of goals and strategies for Upton to achieve the 10% affordable housing requirement as well as meet the diverse needs of the community as a whole.

INTRODUCTION

Four overarching goals have been established based on an analysis of existing conditions and barriers to development, prior planning efforts including the 2012 Housing Production Plan, regular meetings of the Upton Housing Production Plan Committee, results of the Housing Needs Community Survey, community feedback at the public workshop, and input from housing stakeholders. Each goal is accompanied by a set of specific strategies that will help the town achieve its affordable housing production goals while creating more diverse housing options to meet changing needs of the community. An Implementation Matrix summarizes the goals and strategies while assigning a timeline and responsible parties.

Goal 1: Build local capacity to promote affordable housing

Goal 2: Make zoning and planning reforms

Goal 3: Partner with developers to produce new affordable housing

Goal 4: Preserve existing housing for all Upton residents

TABLE OF CONTENTS

TERMS AND DEFINITIONS	2
EXECUTIVE SUMMARY	4
Introduction.....	4
Background and Purpose	4
Summary of Housing Production Goals	5
Summary of Housing Goals and Strategies	5
INTRODUCTION	7
Introduction to Upton.....	7
Plan Process	7
Plan Methodology	8
Housing Production Plans and M.G.L. Chapter 40B.....	8
Defining Affordable Housing.....	10
Fair Housing and Housing Discrimination	11
Housing and Political Administrations	12
HOUSING NEEDS ASSESSMENT	13
Community Overview	13
Demographic Characteristics	14
Housing Supply Characteristics	30
Housing Market	38
HOUSING CHALLENGES.....	45
Regulatory Constraints	45
Environmental Constraints	50
Community Infrastructure	53
Subsidies and Staff Capacity.....	53
Land Availability	54
Community Perceptions	54
HOUSING PRODUCTION GOALS	55
HOUSING STRATEGIES.....	56
APPENDIX.....	74

TERMS AND DEFINITIONS

The following definitions are for key terms used throughout this document and are based on information from the United States Census Bureau, Department of Housing and Urban Development (HUD), Executive Office of Housing and Livable Communities (HLC), or other sources.

AMERICAN COMMUNITY SURVEY (ACS): The American Community Survey, or ACS, is a survey conducted every year by the United States Census Bureau. It is the premier source for detailed population and housing information for the country. New data is released each year in the form of estimates, in a variety of tables, tools, and analytical reports.

AFFORDABLE HOUSING: Housing that is restricted to individuals and families with qualifying incomes and asset levels, and receives 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. In Massachusetts, affordable housing units are reserved for households with incomes at or below 80 percent of the Area Median Income (AMI) under long-term legally binding agreements and are subject to affirmative marketing requirements.

AREA MEDIAN INCOME: To determine who qualifies for affordable housing, a metric called Area Median Income, or AMI, is used. The Area Median Income (AMI) is the midpoint of a region's income distribution – half of families in a region earn more than the median and half earn less than the median. For housing policy, income thresholds set relative to the area median income – such as 80% of the AMI – identify households eligible to live in income-restricted housing units and the affordability of housing units to low-income households.

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. Comprehensive permits can be issued if a municipality has not met any of the three statutory minimums for the amount of affordable housing that exists in the community. A comprehensive permit allows a developer to build more densely than the municipal zoning bylaws would permit, allowing more units per acre of land when constructing a new development, if at least 25% (or 20% in certain cases) of the new units have long-term affordability restrictions.

COST BURDENED: Households are considered cost burdened if they pay more than 30 percent of their gross income for housing costs.

FAMILY: A family is defined by the United States Census as 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 is defined by the United States Census as 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.

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.

M.G.L. CHAPTER 40B: This state law enables developers to request waivers to local regulations, including the zoning bylaw, from the local Zoning Board of Appeals for affordable housing developments if less than 10 percent of year-round housing units in the municipality is counted on the SHI. It 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.

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 earning incomes above the median, half earning incomes below the median. The medians for people are based on people 15 years old and over with income.

MULTI-FAMILY HOUSING: Multi-family housing is a commonly used term referring to residential structures that contain more than one separate residential dwelling unit. Occupants do not necessarily have to constitute a "family", however, as single-person households can be occupying these units.

SUBSIDIZED HOUSING INVENTORY: The Subsidized Housing Inventory, or SHI, is used to measure a community's stock of low-or moderate-income housing. It is the State's official list for tracking a municipality's percentage of affordable housing under M.G.L. Chapter 40B.

EXECUTIVE SUMMARY

INTRODUCTION

Massachusetts General Law Chapter 40B requires cities and towns in the Commonwealth to work towards ensuring that a minimum of 10% of their year-round housing stock qualifies as affordable to households earning at or below 80% of the Area Median Income (AMI). The State encourages municipalities to prepare a Housing Production Plan (HPP) to assist in achieving the 10% goal as well as take a proactive step in developing affordable housing. A Housing Production Plan is a plan authorized by M.G.L. Chapter 40B and administered by the Massachusetts Executive Office of Housing and Livable Communities (HLC) (formerly the Department of Housing and Community Development). This Plan is organized into three principal components:

- 1. HOUSING NEEDS ASSESSMENT**
- 2. HOUSING CHALLENGES**
- 3. HOUSING PRODUCTION GOALS AND STRATEGIES**

BACKGROUND AND PURPOSE

In 2022, Upton Town Meeting voted to authorize Community Preservation Act (CPA) funds be allocated towards development of an updated Housing Production Plan. Utilizing these funds, the Town contracted the Central Massachusetts Regional Planning Commission (CMRPC) in 2022 to appropriate \$14,000 for technical assistance in developing an updated Housing Production Plan.

The Upton Housing Production Plan Committee is a group of seven (7) volunteers appointed by the Board of Selectmen. Governance of the committee is by two Co-Chairs and each member has full voting rights. Tasked with the responsibility of guiding the update of the Town's Housing Production Plan, the committee met in a hybrid in-person/remote structure one-to-two times per month between August 2022 and July 2023. Meetings were open to the public, in accordance with Open Meeting Law. Additionally, the Upton Town Manager and Town Planner provided technical support to the committee. CMRPC staff worked collaboratively with the Housing Production Plan Committee and Town staff to understand local housing conditions, seek input from the community using multiple platforms, and develop strategies that will support the town with meeting the housing needs of current and future residents. CMRPC provided any guidance and technical assistance needed to achieve the deliverables of the Plan.

The goal in developing a Housing Production Plan (HPP) for the Town of Upton is to provide the town with a guiding document for implementing affordable as well as alternative housing options to meet Chapter 40B regulations. This Plan represents the culmination of baseline demographic and housing research, community outreach, zoning and regulatory review, plus an implementation plan for goals and objectives.

SUMMARY OF HOUSING PRODUCTION GOALS

AS OF 2023, UPTON'S SUBSIDIZED HOUSING INVENTORY (SHI) CONSISTS OF 189 UNITS, OR 6.37% OF ITS YEAR-ROUND HOUSING STOCK. Data from the most recent United States Decennial Census is used as a baseline for the total housing units. As of the 2020 Census, Upton has 2,967 year-round housing units. The Massachusetts SHI is the most comprehensive listing of deed-restricted affordable housing units compiled by the Massachusetts Executive Office of Housing and Livable Communities (HLC). To meet the M.G.L. Chapter 40B SHI target of 10% and not be vulnerable to comprehensive permitting, the town needs to have 297 total subsidized units. If the town increases its affordable housing stock by 0.5% per year, or 15 units, it will meet the 10% threshold by 2031. At this production rate, in five years the town will have an SHI of 8.9%, or 264 affordable units, and will need 33 additional units to achieve 10% affordable housing. The complete list of subsidized housing units in Upton is included in Table 12 on page 36.

It should be noted that the State's subsidizing agencies have entered into an Interagency Agreement that provides additional guidance to localities regarding housing opportunities for families with children and are now requiring that at least 10% of the units in affordable production developments that are funded, assisted, or approved by a State housing agency have three or more bedrooms (with some exceptions including age-restricted housing, assisted living, supportive housing for individuals, etc.).

SUMMARY OF HOUSING GOALS AND STRATEGIES

In order to support the town in meeting its numerical production goals, a series of goals and strategies have been developed. The strategies outlined below were established based on prior planning efforts including the 2012 Housing Production Plan, regular meetings of the Upton Housing Production Plan Committee, results of the Housing Needs Community Survey, community input from the public workshop on March 16, 2023, and input from housing stakeholders. The specific strategies will help the town achieve its affordable housing production goals while creating more diverse housing options to meet changing needs of the community.

The full descriptions of the Housing Goals and Strategies begin on page 56.

GOAL 1: BUILD LOCAL CAPACITY TO PROMOTE AFFORDABLE HOUSING

1. Conduct ongoing community outreach
2. Secure professional support
3. Continue to capitalize the Upton Affordable Housing Trust
4. Participate in regional collaboration
5. Encourage Upton staff, board and committee members, and volunteers to participate in educational trainings and programs related to affordable housing
6. Continue to coordinate the Town's affordable housing efforts under the guidance of the Town Planner
7. Identify and leverage resources to advance housing production and programs

GOAL 2: MAKE ZONING AND PLANNING REFORMS

1. Promote greater diversity and density of permitted housing types
2. Continue to promote mixed-use development
3. Develop an inclusionary or incentive zoning bylaw
4. Update the inventory of properties potentially suitable for affordable housing development as needed and promote the inventory to affordable housing developers
5. Comply with the requirements of M.G.L. Ch. 40A Section 3A
6. Prepare design guidelines or standards to accompany new multi-family housing developments
7. Explore regulations for short-term rental housing

GOAL 3: PARTNER WITH DEVELOPERS TO PRODUCE NEW AFFORDABLE HOUSING

1. Provide suitable public property for development
2. Offer predevelopment funding
3. Support permitting with advocacy
4. Provide support and gap financing to leverage project financing
5. Advocate for a higher inclusion of accessible units in proposed housing developments
6. Continue to utilize Community Preservation Act funds to further affordable housing goals
7. Explore small-scale infill development options on nonconforming lots within designated areas

GOAL 4: PRESERVE EXISTING HOUSING FOR ALL UPTON RESIDENTS

1. Monitor and maintain the Subsidized Housing Inventory (SHI)
2. Explore opportunities for enhancing the affordability of existing homes for all Upton residents
3. Help qualifying residents access housing assistance

INTRODUCTION

INTRODUCTION TO UPTON

Upton is a small, friendly community located in the Blackstone Valley of southern Worcester County. With roots as an agricultural community, the town transitioned into a mill village and industrial center during the American Industrial Revolution. During this time the town produced a variety of housing, businesses, and amenities to support local mill employees, managers, owners, and their families. In the past century, Upton has gradually defined itself as a developing suburb of single-family homes; a bedroom community for those who appreciate the quiet setting and wish to access major cities in less than an hour.

PLAN PROCESS

The Town contracted the Central Massachusetts Regional Planning Commission (CMRPC) to develop an updated Housing Production Plan consistent with the State of Massachusetts' requirements under 760 CMR 56.03(4). To adequately oversee all steps of the plan's development in a timely manner, a Housing Production Plan Committee was created. Consisting of seven (7) volunteer members of the community, the committee met in a hybrid in-person/remote format approximately once per month with Town staff and CMRPC between August 2022 and July 2023 in accordance with Open Meeting Law.

A Housing Needs Community Survey was utilized as a tool for gathering widespread public input on affordability and availability of various types of housing in Upton. The 18-question survey was available to take online, and paper copies were made available for pick-up and drop-off at the Upton Public Library, Senior Center, and Town Hall. The community survey was open from October 2022 through January 2023. In total, 356 surveys were completed by town residents, equaling about 6% of the population over the age of 18. Twenty percent of survey respondents were under the age of 40, 68% of survey respondents were between the ages of 40 and 69, and 12% of survey respondents were 70 years or older. Nearly 90% of survey respondents were homeowners. The complete survey, survey results, and the promotional flyer can be viewed in the Appendix.



Upton residents discuss preferred residential development locations and types at the public workshop on March 16, 2023.

A public workshop was held on March 16, 2023 from 6:00 – 8:00 p.m. at Upton Town Hall. Approximately 20 community members participated in the event and engaged in discussions on the future of housing in Upton, with the option of attending in-person or online via Zoom. Attendees were introduced to the Housing Production Plan with a presentation by CMRPC, allotted time to ask questions, presented with the results from the community survey, and asked to participate in a breakout group activity on the potential design and placement of alternative housing options for the town. The valuable public input gathered from the discussions and activity of this event has proven helpful in understanding who needs housing and the types and locations of housing that are in demand in Upton. Materials from the public workshop and the promotional flyer can be viewed in the Appendix.

PLAN METHODOLOGY

Data for this report was gathered from a number of reliable and available sources, including:

- 2000 and 2010 U.S. Decennial Census
- 2020 Decennial Census Redistricting Data
- 2017-2021 American Community Survey
- The Warren Group
- ESRI Business Analyst
- Massachusetts Department of Revenue
- Massachusetts Executive Office of Housing and Livable Communities
- Central Massachusetts Regional Planning Commission
- Upton Assessor's Office
- Upton Housing Production Plan Committee open meetings
- Community input from the March 16, 2023 Public Workshop
- Upton Housing Needs Community Survey results

HOUSING PRODUCTION PLANS AND M.G.L. CHAPTER 40B

M.G.L. c. 40B, §§ 20-23 – known as Chapter 40B or the Comprehensive Permit Law – is a Massachusetts state law that was enacted in 1969 to facilitate construction of low- or moderate-income housing. It establishes a consolidated local review and approval process (known as a “comprehensive permit”) that empowers the zoning board of appeals (ZBA) in each city and town to hold hearings and make binding decisions that encompass all local ordinances or bylaws and regulations. In certain circumstances, the ZBA’s comprehensive permit decision may be appealed to the Massachusetts Housing Appeals Committee (HAC), which has the power to affirm, modify, or overturn local decisions.

Under Law Chapter 40B, cities and towns must work to ensure that at least 10% of their total housing stock qualifies as “affordable” to households earning at or below 80% of the Area Median Income (AMI). For communities that have not achieved the 10% affordable housing requirement, developers can override local regulations by receiving a comprehensive permit from local ZBA's if they include affordable housing in their projects.

To help meet this 10% goal and take a proactive approach toward developing affordable housing, the State encourages communities to pursue preparing a Housing Production Plan (HPP). This is a plan authorized by M.G.L. Chapter 40B and administered by the Massachusetts Executive Office of Housing and Livable Communities (HLC) that can allow some relief from 40B pressures if the plan is approved by HLC and the town meets the required number of affordable housing units that must be created in a year. Communities that have an HLC-approved HPP and that have produced units that are deemed “affordable” totaling at least 0.5% of the community's year-round housing stock will be granted a “certification of compliance with the plan” and become temporarily “appeal-proof” from Chapter 40B for 12 months following certification, or 24 months following certification if 1.0% of its year-round housing units have been produced as affordable.

SAFE HARBORS

In regard to Chapter 40B, “safe harbor” refers to conditions under which a ZBA's decision to deny a comprehensive permit will qualify as consistent with local needs and not be overturned by the HAC, provided the conditions were met prior to the date that the comprehensive permit was filed with the ZBA. Safe harbors include:

STATUTORY MINIMA

- The number of low- or moderate-income housing units in the city or town is more than 10 percent of the total number of housing units reported in the most recent Decennial Census;
- Low- or moderate-income housing exists on sites comprising 1.5 percent or more of the community's total land area zoned for residential, commercial, or industrial use;
- The comprehensive permit before the ZBA would lead to construction of low- or moderate-income housing on sites comprising more than 0.3 of 1 percent of the community's total land area zoned for residential, commercial, or industrial use, or 10 acres, whichever is larger, in one calendar year.

ADDITIONAL SAFE HARBORS CREATED BY REGULATION

HLC has certified that the community complies with its affordable housing production goal under its approved Housing Production Plan.

- The community has met HLC's "recent progress" threshold (760 CMR 56.03(1)(c) and 56.03(5)). This implies that within the past 12 months, the community has created new SHI units equal to or greater than 2 percent of the total year-round housing units reported in the most recent decennial census. The recent progress threshold can be helpful to a community that does not have an HLC-approved Housing Production Plan.
- The project before the ZBA is a project that exceeds DCHD's definition of a "large" project under 760 CMR 56.03(1)(d), where the definition of "large" project varies by the size of the municipality (see 760 CMR 56.03(6)).

As of 2023, Upton does not meet any of the safe harbors and will not be able to deny a comprehensive permit filed with the Zoning Board of Appeals.

DEFINING AFFORDABLE HOUSING

"Affordable housing" does not refer to the design, type, or method of construction of housing units, but to the cost of the housing to the consumer. "Affordable" means that the housing unit qualifies for inclusion in the Subsidized Housing Inventory, a state-wide comprehensive list of affordable units under long-term, legally binding agreements that are subject to affirmative marketing requirements. In order for a household to be eligible to rent or purchase an income-restricted unit, the household's income cannot exceed 80% of the Area Median Income (AMI).

The United States Department of Housing and Urban Development (HUD) and the Massachusetts Executive Office of Housing and Livable Communities (HLC) use Area Median Income (AMI) to promote income-restricted housing. The AMI is the median family income for the Metropolitan Statistical Area (MSA). Upton belongs to the Eastern Worcester County, MA HUD Metro FMR Area which includes 11 communities in eastern Worcester County. HUD calculates the AMI annually based on the U.S. Census Bureau's American Community Survey's (ACS) estimated median family income for the MSA. **As of 2023, the AMI for the Eastern Worcester County HUD Metro FMR Area is \$147,600. For a family of four, the household income limit is \$94,650.**

Municipalities and/or developers are responsible for updating their inventory directly with HLC. When new subsidized units are occupied or permitted within a municipality, the municipality (or the developer) must make a written request for units to be added to the municipality's inventory. This task is accomplished through the *SHI: Requesting New Units Form*, available on the Massachusetts Subsidized Housing Inventory website, which must be submitted to HLC.

TABLE 1: AREA MEDIAN INCOME LIMITS FOR THE EASTERN WORCESTER COUNTY, MA HUD METRO FMR AREA

Area Median Income	FY 2023 Area Median Income Limit Category	Persons in Household				
		1	2	3	4	5
\$147,600	Low (80%) Income	\$66,300	\$75,750	\$85,200	\$94,650	\$102,250
	Very Low (50%) Income	\$48,550	\$55,500	\$62,450	\$69,350	\$74,900
	Extremely Low (30%) Income	\$29,150	\$33,300	\$37,450	\$41,600	\$44,950

Source: U.S. Department of Housing and Urban Development Office of Policy Development and Research

FAIR HOUSING AND HOUSING DISCRIMINATION

Title VIII of the Civil Right Act of 1968, also referred to as the Fair Housing Act, was enacted with the primary purpose of prohibiting discrimination in transactions involving the rental, sale, or financing of a home based on race, color, national origin, religion, sex, familial status, and mental or physical handicap. Massachusetts law included the following protected classes for tenants and homebuyers: marital status, children, sexual orientation, age, gender identity and expression, military or veteran status, ancestry, genetic information, retaliation, and receipt of public assistance or rental subsidies.

Under Federal law, state and local governments that receive federal housing funds are required not only to refrain from discriminatory practices, but they must also take initiative in promoting open and inclusive housing patterns, also known as “affirmatively furthering fair housing” or “AFFH”. As defined by HUD, this practice includes the following:

- Analyzing and eliminating discrimination in the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familiar status, disability, and national origin;
- Promoting housing that is structurally accessible to, and usable by all persons, particularly persons with disabilities;
- Fostering compliance with the nondiscrimination provision of the Fair Housing Act.

In 2021, the White House issued a Memorandum to the Secretary of HUD, which declared that the affirmatively furthering fair housing provision in the Fair Housing Act, “...is not only a mandate to refrain from discrimination but a mandate to take actions that undo historic patterns of segregation and other types of discrimination and that afford access

to long-denied opportunities.”¹ A number of Executive Order implicating HUD’s responsibility for implementing the mandate of AFFH were issued by the White House in 2021, including Executive Order 13895, “Advancing Racial Equity for Underserved Communities Through the Federal Government” and Executive Order 13988, “Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation.”

Under Federal and State law, municipalities must also ensure that municipal policies and programs do not have a disparate impact on members of a protected class. Disparate impact is a significant legal theory in which liability based upon a finding of discrimination may be incurred even when the discrimination was not purposeful or intentional. The municipality should consider if the policy or practice at hand is necessary to achieve substantial, legitimate, non-discriminatory interests and if there is a less discriminatory alternative that would meet the same interest.

HOUSING AND POLITICAL ADMINISTRATIONS

As of January 6, 2023, the Commonwealth of Massachusetts has a new governor administration in place. Governor Maura Healey and Lieutenant Governor Kim Driscoll succeed former Governor Charlie Baker and former Lieutenant Governor Karyn Polito.

Governor Healey and Lt. Governor Driscoll have stated that affordable and abundant housing is a top priority for the new administration. A new Secretary of Housing position has been created, which will support cities and towns across the state to ensure housing goals are met. The Secretary of Administration and Finance has been directed to identify unused State-owned land and public property to turn into rental housing or home ownership. The Healey-Driscoll administration also prioritizes expanding opportunities for first-time homebuyers through increased funding of down-payment and closing assistance programs, as well as expansion of rental assistance and rental tax deduction programs. Healey has explained that strategies for increasing housing production across the state include investing in the preservation and rehabilitation of existing housing stock while simultaneously incentivizing communities to improve zoning procedures and boost production.

On June 13, 2023, Governor Healy announced the creation of the Massachusetts Community Climate Bank, the nation’s first green bank dedicated to affordable housing. It will be seeded with \$50 million in state money from the Department of Environmental Protection to reduce greenhouse gas emissions in the building sector. Prioritizing the affordable housing market first, then eventually diversifying investments to encompass a wider array of decarbonization efforts, the bank is hoping to attract private sector capital to be combined with federal funds available under the Inflation Reduction Act.

¹ U.S. Department of Housing and Urban Development Affirmatively Furthering Fair Housing (AFFH) Website

HOUSING NEEDS ASSESSMENT

COMMUNITY OVERVIEW

REGIONAL CONTEXT

Upton is located in southern Worcester County, bordered by Grafton to the northwest, Westborough to the north, Hopkinton to the northeast, Milford to the east, Hopedale and Mendon to the southeast, and Northbridge to the southwest. Upton is 15 miles southeast of Worcester, 36 miles southwest of Boston, 34 miles northwest of Providence, and 187 miles from New York City.

The town of Upton sits just south of the Massachusetts Turnpike (I-90) and to the west of Interstate 495 (I-495). Massachusetts State Highway 140 crosses the town from east southeast to west northwest. Upton provides a critical connection between the Blackstone Valley and the I-495 Corridor.

Upton belongs to the Blackstone River National Heritage Corridor that recognizes the Blackstone River and its place in the American Industrial Revolution that transformed farming communities into river-based mill towns and industrial centers.

The Town of Upton and the Town of Mendon share a regional school system – the Mendon-Upton Regional School District. Upton students in grades 9 through 12 attend the Nipmuc Regional Middle/High School located on Pleasant Street in Upton, while students in grades 5 through 8 attend the Miscoe Hill Middle School located on North Avenue in Mendon. Upton students in grades Pre-K through 4 attend the Memorial Elementary School on Main Street. Upton is home to the Blackstone Valley Regional Vocational Technical High School, also located on Pleasant Street.

The closest airports to Upton include the Hopedale Industrial Park Airport (6.7 miles), the Waters Airport in Sutton (7.8 miles), and the Worcester Regional Airport (15 miles). For national and international flights, Upton travelers typically use T.F. Green International Airport in Rhode Island, Boston Logan International Airport, or Bradley International Airport in Connecticut. Upton is not affiliated with a regional transit authority. The closest MBTA commuter rail stations are located in Grafton and Westborough. The Grafton and Upton Railroad provides freight rail service in Upton, interchanging freight with Conrail in North Grafton.

As a Blackstone River Valley mill town, Upton grew with a wide variety of housing and businesses developed to service the entire spectrum of mill employees, managers, owners, and their families. This very important aspect of Upton's past is critical to understanding the current housing stock and the town's future housing needs. Some residents remember their families moving from eastern towns to settle in Upton because of the availability of affordable land and housing in the 1950's and 1960's. The era when families were able to purchase a home for \$4,000 has long since passed. Now concerns focus on the high cost of land and new housing construction.

DEMOGRAPHIC CHARACTERISTICS

POPULATION AND HOUSEHOLD TRENDS

This housing needs assessment primarily uses data from the United States Decennial Census and the American Community Survey (ACS). The ACS is a nationwide survey that collects information nearly every day of the year. Data are pooled across a calendar year to produce estimates for that year. As a result, ACS estimates reflect data that have been collected over a period of time rather than for a single point in time as in the decennial census, which is conducted every 10 years and provides population counts as of April 1 of the census year. Data available from local sources is used as well to supplement these data.

CMRPC regularly publishes population projections for its constituent communities based on Census estimates. The town-level projections shown in Figure 1 have been vetted with the region's communities for transportation planning purposes as part of the Long-Range Transportation Plans. The control totals for the CMRPC region are provided by the Massachusetts Department of Transportation. Town level projections are developed based upon past growth trends, land use and infrastructure capacity, planned future projects, and stakeholder input, including that of the Central Massachusetts Metropolitan Planning Organization (CMMPO), CMMPO Advisory Committee and CMRPC Community Development and Planning staff. By CMRPC's projections, Upton is expected to grow by 48% between 2020 and 2040. It is important to note that Upton was previously projected to grow to 9,312 residents by 2020, which is significantly higher than the current 8,000 residents as of 2020. Many unforeseeable factors will contribute to the rate of population change in the future.

The town of Upton is 21.7 square miles in area, with 21.5 square miles in land area and 0.2 square miles in water area. Using the 2020 Decennial Census Redistricting population figure of 8,000 residents, the population density is 372 people per square mile. Compared to surrounding communities and the city of Worcester, the town has a very low population density. However, much of Upton's population is located in the central part of town.

Figure 1: Historic Population Growth with Projections
 Source: U.S. Decennial Census 1940-2020; CMRPC Population Projections

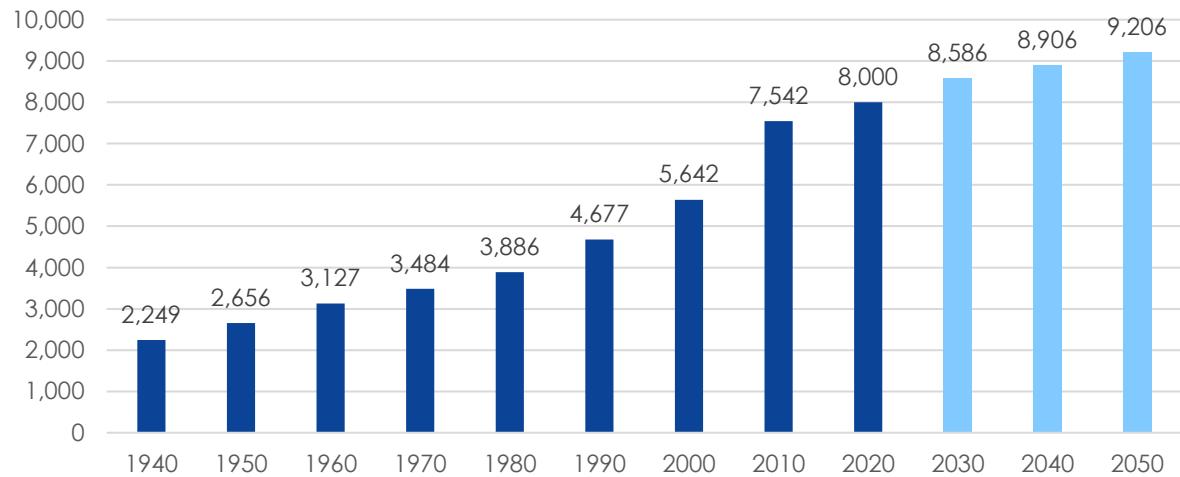


TABLE 2: HOUSEHOLDS AND FAMILIES, 2000-2021

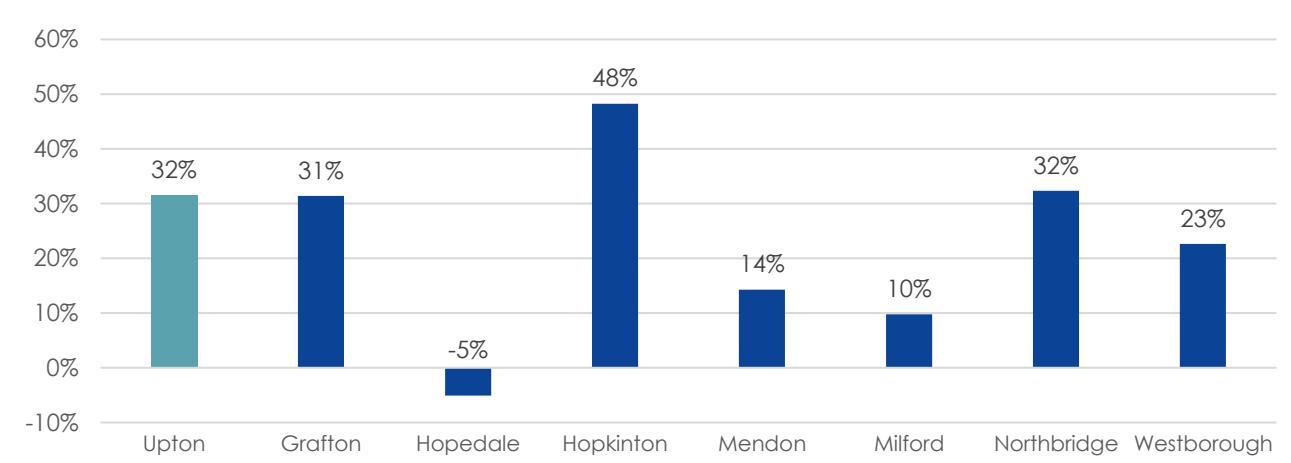
	2000		2010		2021	
	Households	Families	Households	Families	Households	Families
Upton	2,046	1,572	2,449	2,030	2,692	2,355
Worcester County	283,927	192,423	303,080	202,602	333,435	219,929
Massachusetts	2,443,580	1,576,696	2,547,075	1,603,591	2,759,018	1,719,532

Source: U.S. Decennial Census 2000, 2010; American Community Survey 5-Year Estimates 2021

The U.S. Census Bureau states that a *household* consists of all the people who occupy a housing unit, including the related family members and all the unrelated people. A *family household* includes the family householder and all other people in the living quarters who are related to the householder by birth, marriage, or adoption. Table 2 shows the number of households in Upton has increased by 32% from 2000-2021, compared to 17% growth in households in Worcester County and 13% growth in Massachusetts. Families have increased at a higher rate than households in the past twenty-one years in Upton.

FIGURE 2: HOUSEHOLD GROWTH IN UPTON AND SURROUNDING COMMUNITIES 2000-2021

SOURCE: U.S. DECENTNIAL CENSUS 2000-2020; AMERICAN COMMUNITY SURVEY 2021



HOUSEHOLD TYPES

According to the U.S. Census Bureau, a *family group* is any two or more people residing together, and related by birth, marriage, or adoption. *Family households* are defined as households maintained by a householder who is in a family group and can include any unrelated people who may be residing there. A *household* consists of all the people who occupy a housing unit. A *non-family household* consists of a household living alone or where the household shares the home exclusively with people to whom she/he is not related.

As of 2021, 2,355 households, or 88% of all households in Upton, were classified as family households (Table 3). The remaining 12% are non-family households, consisting of single-person households or members living together who are not related to one another. Family households with their own children under the age of 18 make up 39% of all households in Upton, which is higher than the state's rate of 18%. Upton has a lower rate of single-person households at 11%, compared to 17% state-wide.

Regional and national trends indicate the number of people living in a household has been declining as more people choose to live alone, delay having children, or have fewer or no children. Upton seems to be trending differently than the state and Worcester County, which have 8% and 7% of households classified as elderly single-person households, respectively. Upton has a lower proportion of single-parent households than the county and state, however, it is important to note that approximately 275 people in Upton are single parents, who may have more difficulty affording a safe and spacious home to live in due to income restrictions. Families with children are a protected class under federal law, and Massachusetts has made it unlawful to discriminate based on marital status.

TABLE 3: UPTON HOUSEHOLDS BY TYPE, 2021

	Estimate	Percent of All Households
Total Households	2,692	100%
Family Households	2,355	88%
Family Households with own children under 18 years	1,038	39%
Male householder, no spouse present with own children under 18 years	117	4%
Female householder, no spouse present with own children under 18 years	155	6%
Non-family households	337	12%
Householder living alone	282	11%
Elderly single-person households living alone	114	4%

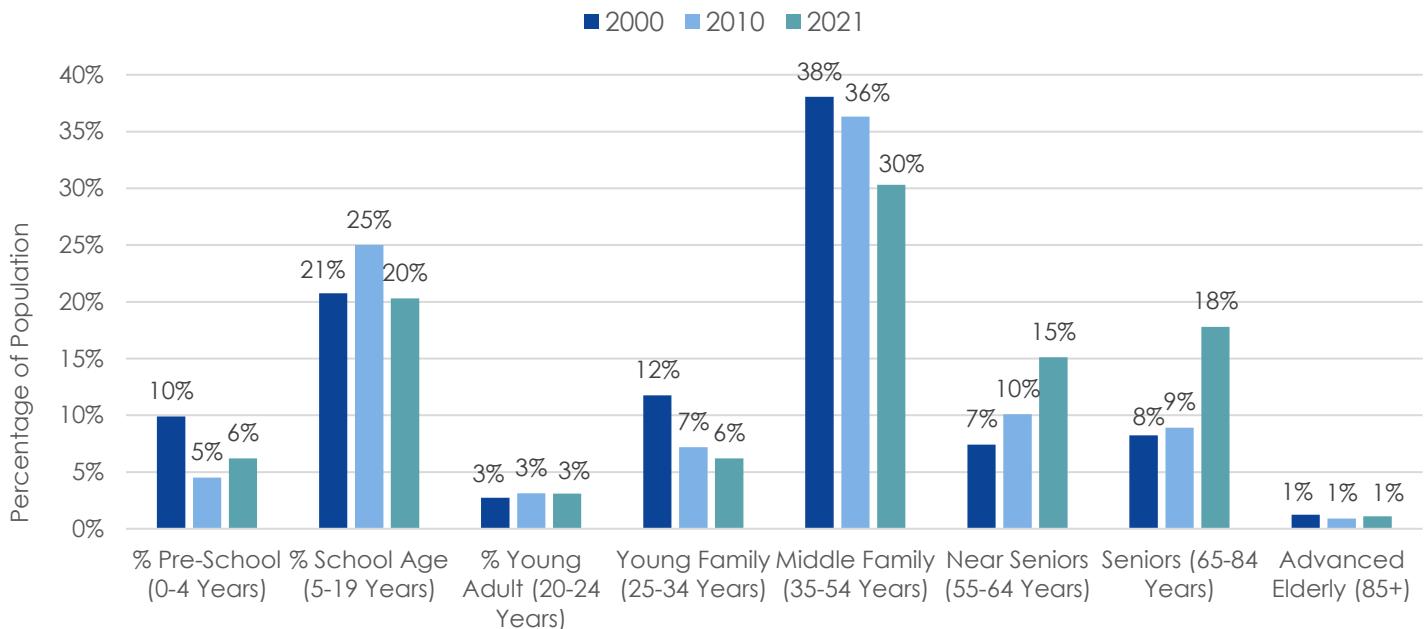
Source: American Community Survey 5-Year Estimates 2021

AGE

It is important to examine age distribution in a community, as different age groups may have various preferences for housing. Additionally, age is a protected class under State Law. American Community Survey 5-year Estimates as of 2021 show that an estimated 26% of the Upton population are under the age of 20; 9% are between the ages of 20 and 34 years; 30% are between the ages of 35 and 54 years; 15% are between the ages of 55 and 64 years; 18% are between the ages of 65 and 84 years; and just 1% are ages 85 or higher. Between 2000 and 2021, Upton experienced an increase in its population over the age of 55. The Near Seniors age group increased by 114%, and the Seniors age group increased by 125%. Age cohorts under 55 years all experienced a decrease or stagnation since 2000. These include Pre-school (-40%), School Ages (-5%), Young Adult (no change), Young Family (-50%).

FIGURE 3: POPULATION BY LIFECYCLE GROUP

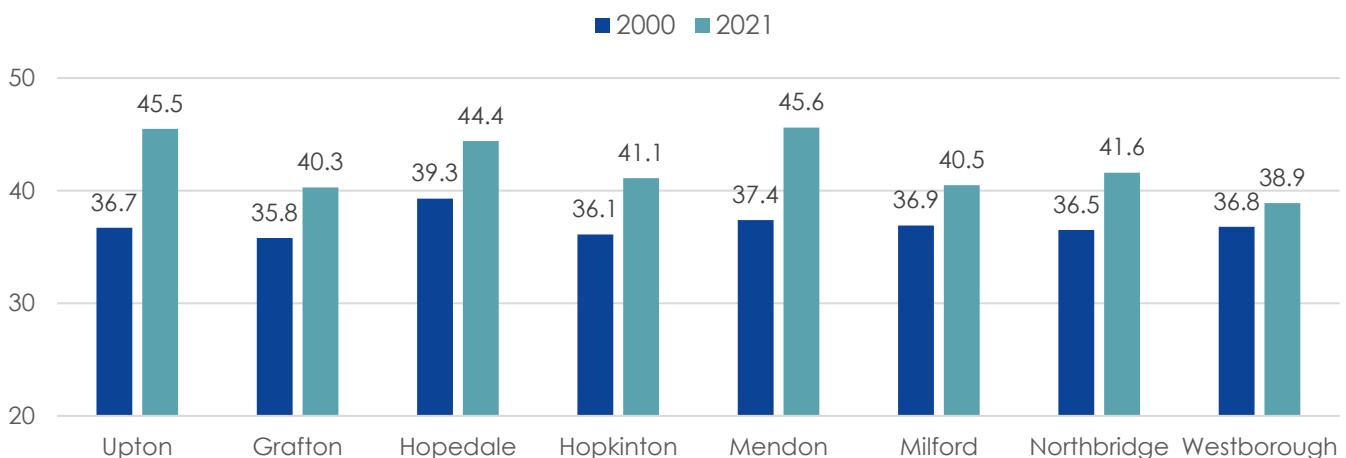
SOURCE: U.S. DECENTNIAL CENSUS 2000, 2010; AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES 2021



Upton's median age (45.5 years) has increased by almost 9 years since 2000. It is now the second highest of the surrounding communities, with Mendon slightly higher at 45.6 years. Although seniors may desire to remain in their homes for as long as possible, there are challenges related to affordability, accessibility, and limited connections to community and health services that can make this difficult. An aging population implies a need for appropriate housing options such as single-level homes, affordable housing for those living on fixed incomes, housing with accessibility features such as ramps or handrails, accessory dwelling units for elderly parents to live independently but near family, homes in walkable neighborhoods, assisted living, skilled nursing facilities, or other types of retirement communities.

FIGURE 4: MEDIAN AGE OF UPTON AND SURROUNDING COMMUNITIES

SOURCE: U.S. DECENTNIAL CENSUS 2000; AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES 2021



RACE AND ETHNICITY

Upton is a predominantly White community with minimal racial diversity. However, there has been an increase in Asian, Hispanic or Latino, and multi-race residents since 2000. The White alone population decreased by almost 10% since 2000. It is important to note that the increase in the population identifying as two or more races may be a result of the dataset's category labeling rather than any significant population change.

TABLE 4: POPULATION BY RACE/ETHNICITY

SOURCE: U.S. DECENTNIAL CENSUS 2000, 2010; U.S. DECENTNIAL CENSUS REDISTRICTING DATA 2020

	2000		2010		2020	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Total Population	5,642	100%	7,542	100%	8,000	100%
White alone	5,492	97.4%	7,188	95.0%	6,996	87.5%
Black or African American alone	27	0.5%	57	0.8%	64	0.8%
American Indian and Alaska Native alone	4	0.1%	12	1.6%	1	<0.1%
Asian alone	55	1.0%	162	2.2%	339	4.2%
Native Hawaiian/Other Pacific Islander alone	0	0.0%	1	<0.1%	5	0.1%
Some other race alone	17	0.3%	19	0.2%	112	1.4%
Two or more races	47	0.8%	103	1.4%	483	6.0%
Hispanic or Latino (of any race)	24	0.4%	119	1.6%	279	3.5%

Source: U.S. Decennial Census 2000, 2010; U.S. Decennial Census Redistricting Data 2020

Note: Hispanic origin can be viewed as the heritage, nationality, lineage, or country of birth by the person or the person's parents or ancestors before arriving in the United States. People who identify as Hispanic, Latino, or Spanish may be any race.

GROUP QUARTERS

People not living in a family or non-family household are classified by the U.S. Census Bureau as living in group quarters. Group quarters include facilities such as prisons, nursing homes, and hospitals as well as college dormitories, military barracks, group homes, missions, and shelters. According to the U.S. Census Bureau 2020 Decennial Census Redistricting Data, there are ten (10) individuals living in institutionalized group quarters and nine (9) living in non-institutionalized group quarters. This is a significant decrease since 2000, when 40 people lived in institutionalized group quarters and four (4) lived in non-institutionalized group quarters.

DISABILITY

A disability is defined by the U.S. Census Bureau as a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job. Many residents with one or more disabilities face housing challenges due to a lack of housing that is affordable and physically accessible. Disability is a protected class under Federal Law.

TABLE 5: POPULATION BY ESTIMATED DISABILITY STATUS, 2021

	Upton		Worcester County		Massachusetts	
	Estimate	Percent of total population with a disability	Estimate	Percent of total population with a disability	Estimate	Percent of total population with a disability
Total civilian non-institutionalized population	7,978	(X)	846,034	(X)	6,922,305	(X)
With a disability	463	6%	103,479	12%	803,600	12%
Population 18 to 64 years	4,472	(X)	535,840	(X)	4,413,041	(X)
With a disability	125	27%	55,311	54%	393,175	49%
With a hearing difficulty	19	4%	9,480	9%	65,823	8%
With a vision difficulty	42	9%	7,767	8%	61,807	8%
With a cognitive difficulty	67	15%	28,125	27%	197,126	25%
With an ambulatory difficulty	44	10%	20,581	20%	153,552	19%
With a self-care difficulty	36	8%	9,229	9%	64,160	8%
With an independent living difficulty	85	18%	21,803	21%	145,597	18%
Population 65 years and over	1,502	(X)	129,708	(X)	1,122,280	(X)
With a disability	285	62%	40,468	39%	345,430	43%
With a hearing difficulty	235	51%	17,898	17%	142,844	18%
With a vision difficulty	24	5%	6,167	6%	54,962	7%
With a cognitive difficulty	88	19%	9,258	9%	83,178	10%
With an ambulatory difficulty	143	31%	24,372	24%	210,192	26%
With a self-care difficulty	74	16%	8,732	8%	80,972	10%
With an independent living difficulty	88	19%	16,373	16%	148,420	19%

Source: American Community Survey 5-Year Estimates 2021

Table 5 shows that an estimated 3% of Upton's population ages 18-64 (also known as "working age residents") reported having one or more disabilities. Among this age cohort reporting a disability in Upton, independent living difficulties are the most common. In 2021, there were 463 people in Upton listed as disabled. This differs from the county and state, both of which report cognitive difficulties to be most common among this age cohort. Of Upton residents ages 65 and over, an estimated 19%, or 285 people, reported having one or more disability. Hearing disabilities are currently the most common disability faced by the elderly population in Upton, followed by ambulatory difficulties. These, along with independent living difficulties, are the most commonly faced difficulties among the elderly population in the county and state, with ambulatory difficulty generally being the most common.

With projections of an increasing elderly population in Upton, the demand for affordable and barrier free/accessible housing may be on the rise. The range of disabilities present in the town's population require different types of accessible housing to serve the needs of persons with disabilities. Some communities in Massachusetts have put more effort and resources into integrating accessible housing and housing with supportive services into planning for market-rate and affordable housing developments.

With projections of an increasing elderly population in Upton, the demand for affordable and barrier-free/accessible housing may be on the rise. The range of disabilities present in the town's population requires different types of accessible housing to serve the needs of persons with disabilities. Some communities in Massachusetts have put more effort and resources into integrating accessible housing and housing with supportive services into planning for market-rate and affordable housing development. There are a few affordable housing complexes in town dedicated to serving people with disabilities including Millhaus Apartments and Coach Road Apartments.

POPULATIONS WITH SPECIAL NEEDS

Populations with special needs are considered to be residents who require specialized housing and/or support services. Included in this category, in no particular order, are:

- People with physical disabilities
- Elderly and frail elderly
- Veterans
- Survivors of domestic violence
- Youth aging out of foster care and at-risk youth
- People with psychiatric and cognitive disabilities
- People with substance abuse issues
- Ex-offenders
- People living with HIV or AIDS
- People who are homeless

The needs of these sub-populations may overlap in many cases, as well as the institutions that serve them. Special needs populations are more likely than the general population to encounter difficulties securing and retaining adequate and affordable housing, due to lower incomes and other obstacles, and often require enhanced support services. While members of these populations often move through temporary housing placements, they often seek permanent and stable housing options.

The Upton Housing Authority participates in the State Chapter 667 State Public Housing Program, which provides housing for elderly/handicapped low-income, family low-income, and special needs units. Under this program, the Upton Housing Authority owns 40 one-bedroom units located at 4 Hartford Avenue North in Upton.

According to 2021 American Community Survey data, 7.2% of Upton's civilian population 18 years and over are veterans. 58% of the town's veterans are over the age of 65. There are currently no housing facilities in town specifically for veterans, however veterans are given priority consideration when applying for affordable housing. The Town staffs a Veterans Agent who helps Upton veterans and spouses with accessing benefits such as cash assistance, medical expense reimbursements, emergency assistance with home payments, and a variety of other benefits available to veterans.

There are numerous organizations that provide support services and group homes in Worcester County. There are likely individuals with developmental disabilities who live independently in town with support from the Department of Developmental Services (DDS).

INCOME

Income of households is directly related to the amount of money that individuals and families can allocate for housing. Housing that is affordable for lower-income households is significant for creating household stability and economic self-sufficiency. To build and retain a strong and talented workforce to improve the region and state's economic competitiveness, housing that is affordable to working class and middle-class households must be readily available.

TABLE 6: MEDIAN HOUSEHOLD, FAMILY, AND NONFAMILY INCOME, 2021

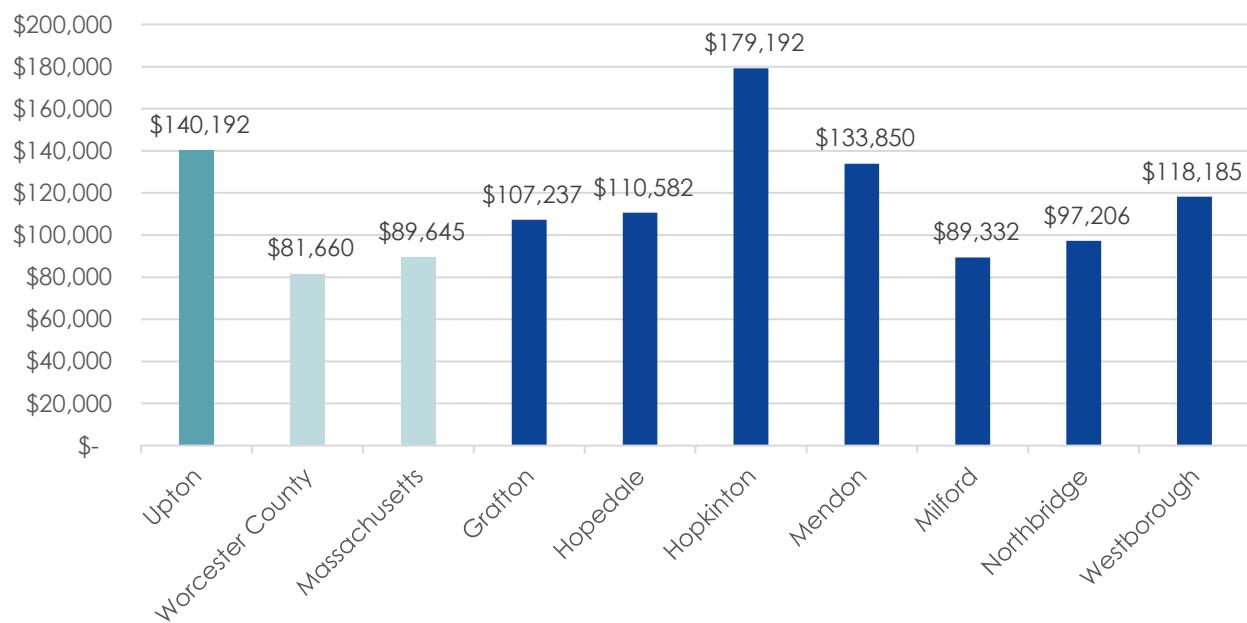
	Median Household Income	Median Family Income	Median Nonfamily Household Income
Upton	\$140,192	\$149,911	\$56,960
Worcester County	\$81,660	\$104,022	\$44,538
Massachusetts	\$89,026	\$112,543	\$51,829

Source: American Community Survey 5-Year Estimates 2021

At \$140,192, median household income in Upton is significantly higher than that of Worcester County (\$81,660) and Massachusetts (\$89,026) as of 2021, based on ACS estimates (Table 6). Median family income and median nonfamily household income in Upton is also higher than the state and county rates. Compared to seven surrounding communities, Upton's median household income was second highest (Figure 5). Median household income in Upton has increased by 44% from \$78,595 in 2000.

FIGURE 5: MEDIAN HOUSEHOLD INCOME, 2021

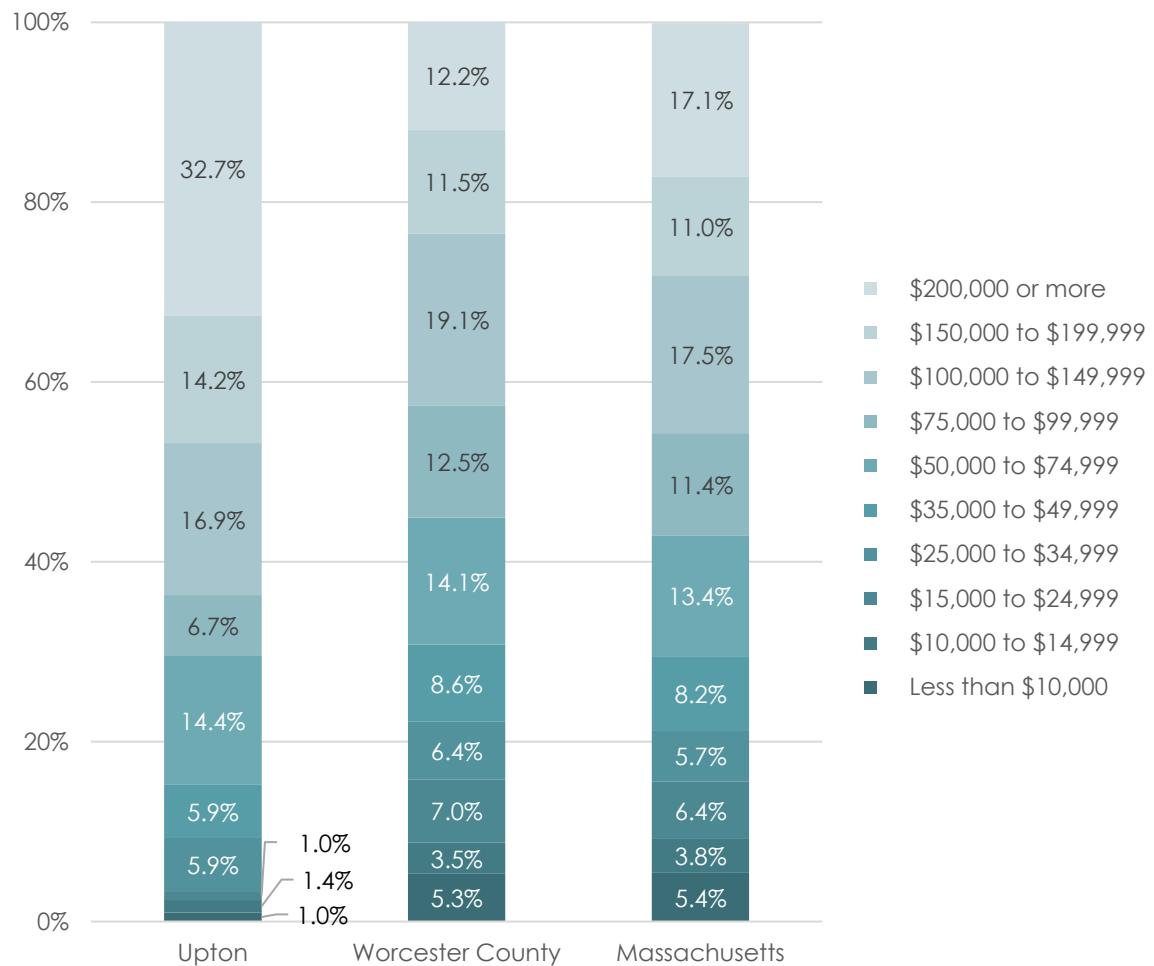
SOURCE: AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES 2021



In terms of household income distribution among residents, Figure 6 shows that there is a higher percentage of households earning \$200,000 per year in Upton compared to the county and the state. The town has a significantly lower population earning less than \$24,000 per year than the county and the state, which may in part be due to a lack of affordable housing options.

FIGURE 6: HOUSEHOLD INCOME BY LEVEL OF INCOME, 2021

SOURCE: AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES 2021



In the United States, housing is considered “affordable” if the household pays no more than 30% of its annual income towards housing costs such as mortgage, rent, property taxes, utilities, or insurance. Households who pay more than 30% of their income towards housing are considered ‘cost-burdened’ and may have difficulties affording necessities such as food, clothing, transportation, and medical care, as well as saving for the future. This definition typically operates under the following assumptions: (1) Housing costs for renters typically include gross rent plus utilities; (2) a calculation of total housing costs for owner-occupied households includes a mortgage payment- consisting of principal, interest, taxes, and insurance. Households paying between 30% and 50% of their income on housing are considered moderately cost-burdened, while households paying greater than 50% of their income are considered severely cost-burdened.

In the community survey, 48% of respondents reported paying more than 30% of their monthly income towards housing costs. When respondents were questioned if they can comfortably afford their home and associated housing costs, 17% responded that affording their home is a challenge. Six percent of survey respondents stated that they plan to eventually move because they will not be able to afford their home as they age into retirement, while 27% are unsure if they will be able to. Ten percent of respondents state they do not plan to live in their current home as they age into retirement but would like to remain in Upton if there are adequate housing options. From this sample of Upton's population, it is clear that there are numerous residents who are struggling to afford to live here. Many may be unaware they are considered "cost burdened" and could likely qualify for deed-restricted affordable housing options.

Even in an affluent town such as Upton, food insecurity is a prevalent issue. The United Parish of Upton operates a food pantry that is open on an every-other-week basis. Approximately 30 patrons, including individuals and those shopping for a family, visit the food pantry each time it is open. The age demographics of patrons range from children to the elderly. Among the 30 regular patrons, an estimated 40 children benefit from the food pantry's operation. Coordinators estimate that those who utilize the food pantry only represent a very small percentage of residents who could use the help, although some residents may visit other food pantries in the region.

EDUCATION AND LABOR FORCE

Educational attainment is one of the most significant factors that determine employment and wealth, particularly now that a high school education is the minimum requirement to obtain a job in most industries. The most recent American Community Survey estimates that 97.7% of Upton residents over the age of 25 hold a high school degree or higher, whereas the state and county have educational attainment rates closer to 91% (Table 6). Upton proportionately is home to more residents holding a Bachelor's degree or higher than the county and the state. Based on educational attainment, Upton residents are more likely to seek careers in educational, health and social services and professional, scientific, management, and administrative professions. Of the working age population totaling 6,189 Upton residents in 2021, 71% were participating in the labor force, a rate slightly higher than the county and state percentages.

Student enrollment at the Mendon-Upton Elementary Schools (including Clough Elementary and Memorial Elementary) has gradually declined by 34% since a high of 940 students in 2004. The average size of families in town has remained unchanged since 2000, staying at an average size of 3.15 over the decades, plus the number of families with their own children under the age of 18 has not altered significantly. There may be reasons related to housing and affordability barriers that prevent households from raising families in Upton. Declining student enrollment affects not only the financial stability, staffing, and facility management of schools, but impacts the community as a whole.

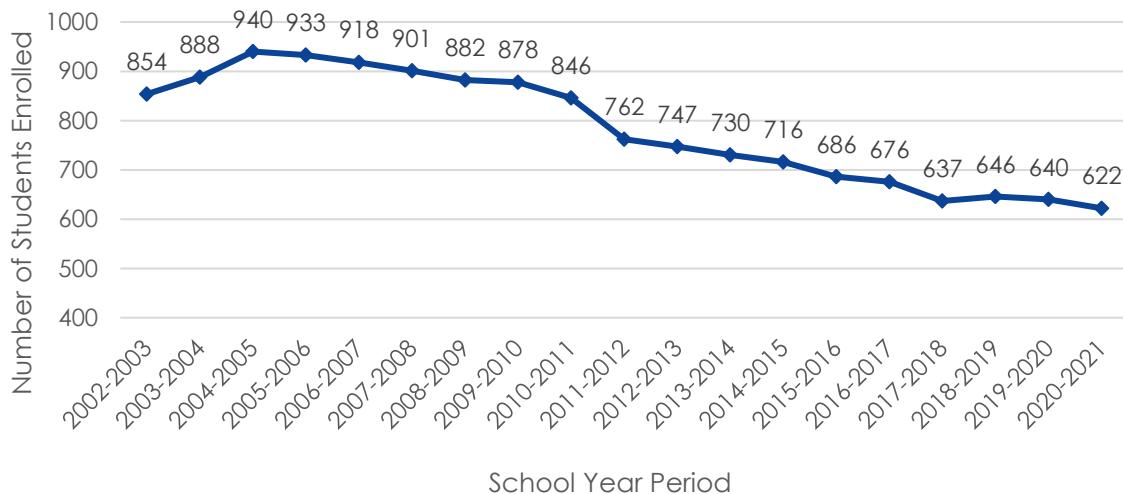
The trends in elementary school enrollments nod to aging populations in Mendon and Upton. When observing only Memorial Elementary School as the Upton-based option, enrollments had a similar spike in 2004, but experienced a greater spike in 2008. Memorial Elementary has remained relatively stagnant in enrollments from 2011 to 2021.

TABLE 6: LABOR FORCE AND EDUCATIONAL ATTAINMENT, 2021

	Population 16 Years and Over		Educational Attainment of Population 25 Years and Over				
	Total	In Labor Force	Population 25 Years and Over	Less than High School	High School Graduate or Higher	Some College, No Degree	Bachelor's Degree or Higher
Upton	6,189	71.3%	5,622	2.3%	97.7%	16.7%	60.6%
Worcester County	698,931	66.4%	594,147	8.5%	91.6%	17.6%	38.1%
Massachusetts	5,773,906	67.2%	4,902,868	8.8%	91.2%	15.1%	45.2%

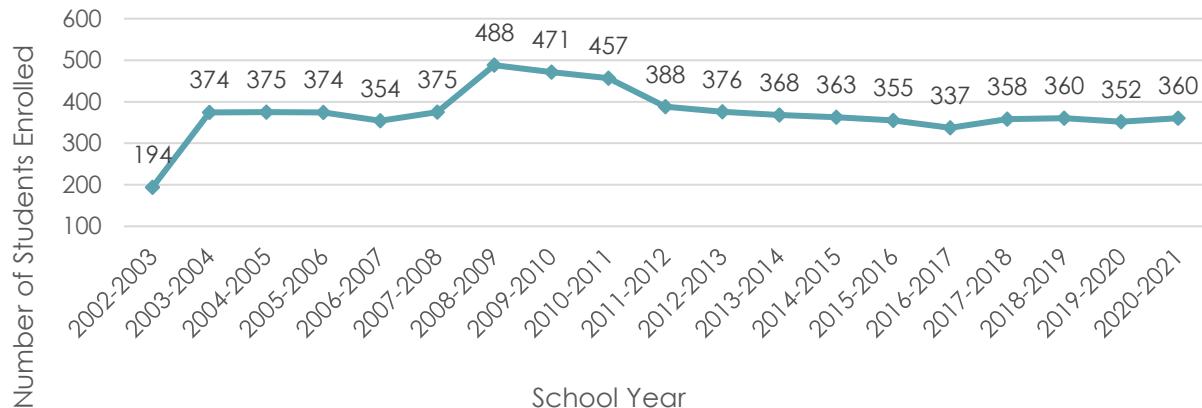
Source: American Community Survey 5-Year Estimates 2021

Figure 7: Mendon-Upton Elementary School Enrollments, 2002-2021



Source: MA Department of Secondary and Elementary Education

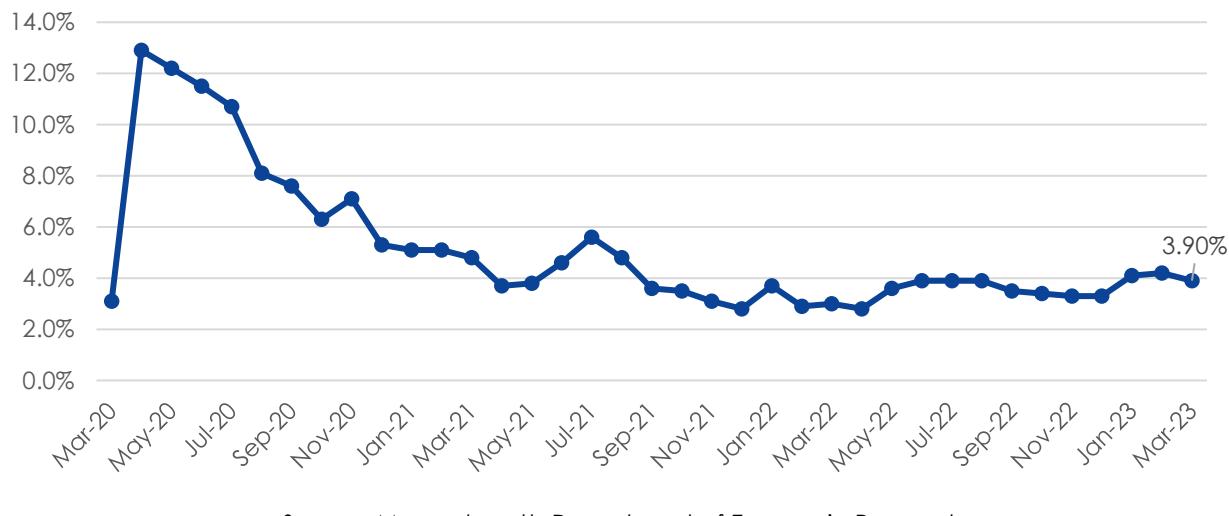
Figure 8: Memorial Elementary School Enrollments 2002-2021



Source: MA Department of Secondary and Elementary Education

EMPLOYMENT AND INDUSTRIES

Figure 9: Upton Unemployment Rate Per Month
March 2020 - March 2023



Source: Massachusetts Department of Economic Research

Unemployment rates since 2020 experienced a clear spike during the early months of the COVID-19 pandemic, reaching 13%, with "recovery" occurring around Fall 2021 down to 3.6%. Since that time, the monthly unemployment rate has fluctuated between 3% and 4%.

In a broader and contextualized view, the data shows Upton loosely following the county and state unemployment trends until 2020, when Upton's yearly rate of 7% rose much higher than Worcester County and Massachusetts' rate of about 5%.

Figure 10: Unemployment Rates 2010 - 2021
 Source: U.S. Department of Labor; Commonwealth of Massachusetts

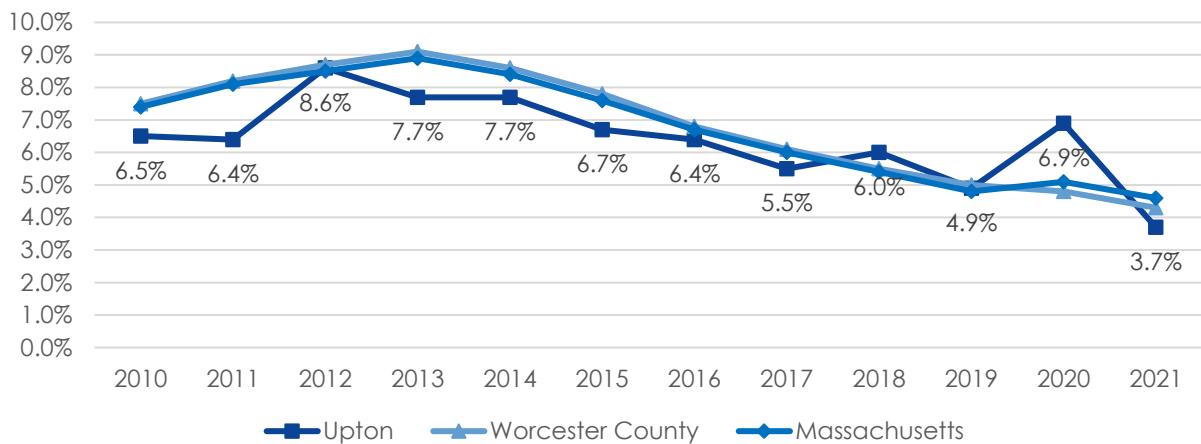


TABLE 7: EMPLOYED UPTON RESIDENTS BY INDUSTRY CLASS

	2000		2010		2021		Change 2000-2021	
	Total	%	Total	%	Total	%	Total	%
Civilian employed population 16 years+	2,783	100%	3,586	100%	2,724	100%	-59	-2%
Agriculture, forestry, fishing and hunting, and mining	7	<1%	11	<1%	16	1%	9	129%
Construction	194	7%	257	7%	128	5%	-66	-34%
Manufacturing	525	19%	521	15%	325	12%	-200	-38%
Wholesale trade	65	2%	91	3%	135	5%	70	108%
Retail trade	343	12%	350	10%	260	10%	-83	-24%
Transportation and warehousing, and utilities	67	2%	125	4%	124	5%	57	85%
Information	147	5%	95	3%	41	2%	-106	-72%
Finance, insurance, real estate, and rental and leasing	155	6%	180	5%	186	7%	31	20%
Professional, scientific, management, administrative, and waste management services	357	13%	631	18%	725	27%	368	103%
Educational, health and social services	610	22%	788	22%	423	16%	-187	-31%
Arts, entertainment, recreation, accommodation and food services	83	3%	188	5%	173	6%	90	108%
Other services (except public administration)	147	5%	264	7%	22	1%	-125	-85%
Public administration	83	3%	85	2%	166	6%	83	100%

Source: U.S. Decennial Census 2000, 2010; American Community Survey 5-Year Estimates 2017-2021

Table 7 shows an estimation of the industries that Upton residents are employed in. According to this dataset, currently the top industries that employ Upton residents are professional, scientific, management, administrative, and waste management services; educational, health and social services; and retail trade. Since 2000, the most notable increases in the employment of Upton residents have been in the industry of professional, scientific, management, administrative, and waste management services (+103%), arts, entertainment, recreation, accommodation and food services (108%), and public administration (+100%). Meanwhile, considerable job loss has occurred in the industries of manufacturing (-38%) and educational, health and social services (-31%), information (-72%), and other services (-85%).

COMMUTING CHARACTERISTICS

Upton is conveniently located proximate to several major centers of employment which offer a variety of jobs, including Worcester, Boston, and Providence. While there are a variety of job opportunities within Upton, many residents commute to work outside of town. The town also contains many home-based businesses.

A majority (78%) of Upton residents commute to work by automobile. 72% of workers drive alone in a car, truck, or van while 6% of workers carpool. Nearly 2% of workers utilize public transportation (excluding taxicabs) while the remaining 1% of commuting residents walk, cycle, or take other means to reach their place of employment. The mean time that Upton residents travel to work has not changed significantly since 2019, remaining at a drive time of approximately 40 minutes one-way. 79% of workers spend at least 20 minutes traveling to their place of employment, indicating that most employees work outside of Upton.

The COVID-19 pandemic and subsequent popularity of remote or hybrid work changed commuting patterns in Upton, following regional trends. In 2019, only 8% of workers worked from home, compared to 19% in 2021. This change resulted in a reduction of number of workers driving alone to work by 13% between 2019 and 2021. As remote work becomes more feasible in many professions, attractive small towns such as Upton may see a migration of families looking to relocate outside of the pricey Boston metro area.

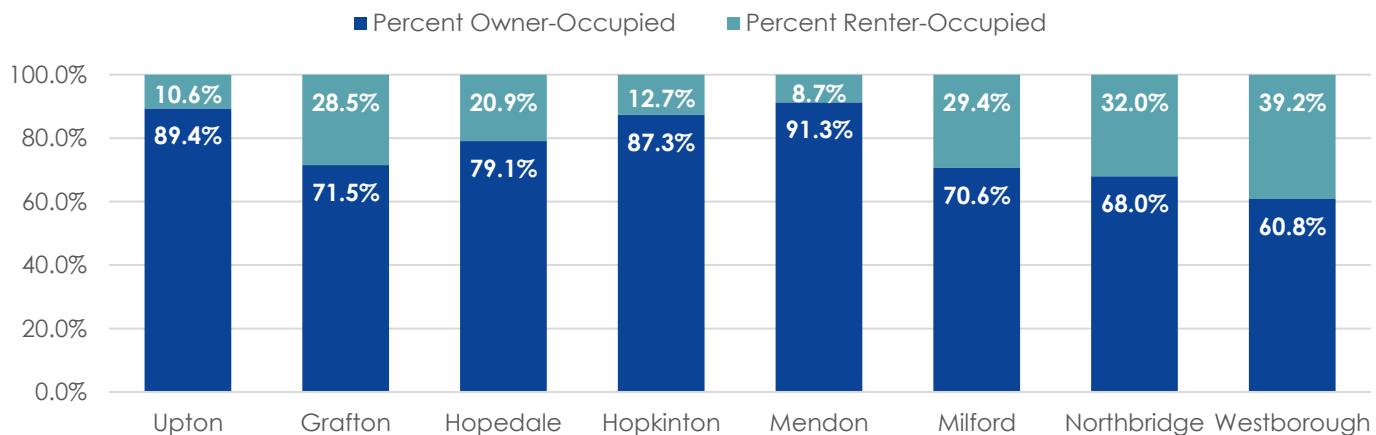
HOUSING SUPPLY CHARACTERISTICS

HOUSING OCCUPANCY

The 2021 American Community Survey showed an estimate of 2,692 occupied housing units in Upton. Between 2000 and 2021, the number of housing units grew by 31%, increasing the housing supply by an estimated 650 units (Table 8). Meanwhile, Worcester County's total housing units increased by 17% and Massachusetts' total units increased by 13% during this same time period. The rate of owner-occupancy in Upton has increased by 7% since 2000, rising to approximately 89% of homes occupied by owners. This rate is higher than the county and state percentages, which have owner occupancy rates of 67% and 63%, respectively. Compared to neighboring towns, Upton has one of the highest owner-occupancy rates, second to Mendon at 91% (Figure 11).

In recent decades, the average household size of a renter-occupied unit has increased to be higher than the county and state averages. In 2021, the average household size of an owner-occupied unit was 3.02 persons in Upton. Renter-occupied households have decreased from 18% of the housing stock in 2000 to 11% of the housing stock as of 2021.

Figure 11: Units Occupied by Tenure
Upton and Surrounding Communities, 2021



Source: American Community Survey 5-Year Estimates 2017-2021

TABLE 8: HOUSEHOLDS BY TENURE

	2000						2021					
	Upton		Worcester County		Massachusetts		Upton		Worcester County		Massachusetts	
	#	%	#	%	#	%	#	%	#	%	#	%
Total occupied housing units	2,042	--	283,927	--	2,443,580	--	2,692	--	333,435	--	2,759,018	--
Owner-occupied	1,683	82.4%	182,104	64.1%	1,508,052	61.7%	2,406	89.4%	223,389	67.0%	1,742,436	63.2%
Renter-occupied	359	17.6%	101,823	35.9%	935,528	38.3%	286	10.6%	110,046	33.0%	1,016,582	36.8%
Average household size of owner-occupied unit	2.96	(X)	2.76	(X)	2.72	(X)	3.02	(X)	2.66	(X)	2.62	(X)
Average household size of renter-occupied unit	1.73	(X)	2.19	(X)	2.17	(X)	2.43	(X)	2.17	(X)	2.14	(X)

Source: U.S. Decennial Census 2000; American Community Survey 5-Year Estimates 2017-2021

Vacancy status is used as a basic indicator of the strength or weakness of a housing market and its stability. It shows demand for housing, identifies housing turnover, and suggests the quality of housing for certain areas. There are five reasons a house can be classified as vacant by the United States Census Bureau, including: the house is (1) for seasonal, recreational, or occasional use; (2) for rent; (3) for sale; (4) rented or sold, but not occupied; or (5) all other vacant units. Rental vacancy rates have steadily been declining across the U.S., in both urban, suburban, and rural areas.

In Upton, the vacancy rate as of 2021 is 5%, compared to a rate of 2% in 2000. Seventeen of the estimated 137 vacant housing units in Upton are considered to be "for sale". A majority of vacant units in Upton are classified as "Other Vacant" which the U.S. Census Bureau defines as a home that is vacant year-round but the owner either does not want to rent or sell, is using the unit for storage, or is elderly and living in a nursing home or with family members. Additional reasons could be the home is being held for settlement of an estate, the home is being repaired or renovated, or the home is being foreclosed.

Vacancy on some level is necessary for a sustainable market and economy, and a vacancy rate between 4% and 6% is typically considered healthy in that supply is close enough to demand to keep prices relatively stable. A low vacancy rate suggests that demand is greatly outpacing supply and generally results in rising costs of housing. Alternatively, a high vacancy rate may indicate that homes are sitting empty, something that could lead to blight and a housing stock in despair. High rental vacancy rates do not always correlate with lower market rents as well.

According to Table 9, as of 2021 the number of vacant units for rent is reported to be zero, however the margin of error is +/-19. These statistics imply that it is likely very challenging for people to rent homes in Upton or for current residents to relocate within the town. The high overall vacancy rate in town may be attributed to homes in Upton that are second residences for households whose primary residences are listed elsewhere. It can be estimated that there are retirees who wish to keep their home but spend part of the year in areas that have a warmer climate or lower cost of living. Short term rental platforms such as Vrbo and Airbnb are on the rise, which allows homeowners to rent out their vacant homes for vacations or short stays, often resulting in higher incomes for hosts than long-term rentals would otherwise provide.

TABLE 9: UPTON VACANCY RATES, 2000-2021

	2000	2021
Total Housing Units	2,084	2,829
Occupied Housing Units	2,042	2,692
Vacant Housing Units	42	137
For rent	14	0
For sale only	8	17
Rented or sold, not occupied	5	0
For seasonal, recreational, or occasional use	1	0
Other vacant	0	120
Vacancy Rate	2%	5%

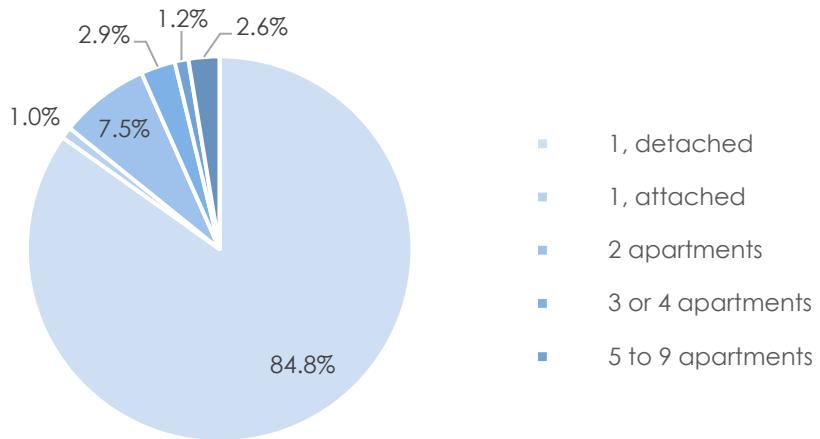
Source: U.S. Decennial Census 2000; ACS 5-Year Estimates 2021

HOUSING BY STRUCTURAL TYPE

The American Community Survey estimates that 85% of homes in Upton are single-family detached homes (Figure 12), which far exceeds the ratios within Worcester County and the State, both of which remain under 60% of total homes. This type of low-density housing is the least efficient in terms of infrastructure needs and land use. In Upton, 8% of housing structures are considered 2 units (duplexes), 3% are 3 or 4 units, 1% are 5 to 9 units, and 3% are 10 or more units.

It should be noted that the American Community Survey Estimates are useful for comparison purposes, but the numbers may over report or under report the types of residential uses in town. The Upton Assessor's Office has local data that can provide a more accurate description of the types of uses in town, although the classification system differs from that of the U.S. Census Bureau. Table 10 shows the assessed value of residential parcels in Upton during FY2023, with single-family homes totaling \$1,410,511,600 in assessed value and constituting the vast majority of home types in town.

Figure 12: Housing Units by Structural Characteristics



Source: American Community Survey 5-Year Estimates 2021

TABLE 10: TOWN OF UPTON RESIDENTIAL PARCELS AND ASSESSED VALUE, FY 2023

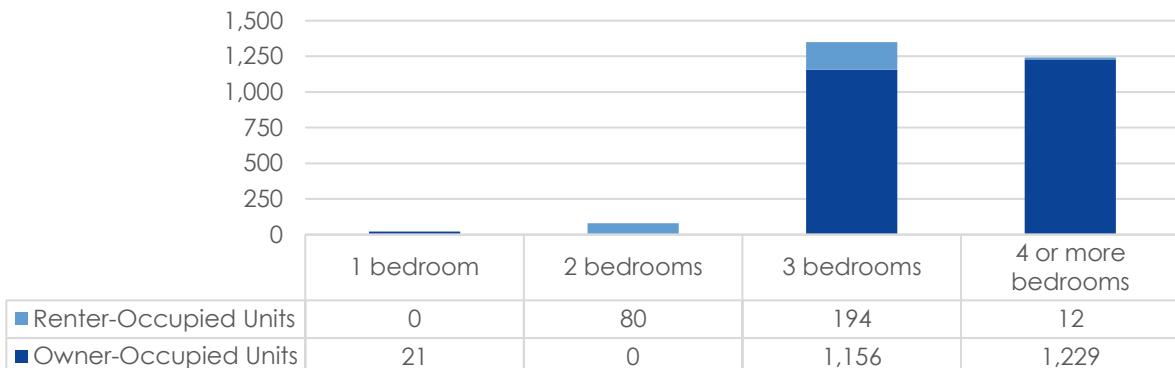
Category	Number of Parcels	Residential Assessed Value
Single Family	2,333	\$1,410,511,600
Condominium	309	\$118,266,900
Mobile Home or Multiple Houses on One Parcel	17	\$9,750,100
Two Family	64	\$28,936,600
Three Family	14	\$6,429,300
Multi Family (4+ Units)	18	\$23,940,200
Developable Land or Land with Outbuildings	303	\$42,396,400
Mixed Use	27	\$20,870,474

Source: Town of Upton Assessor's Office, FY 2023 Assessor's Classification Report

HOUSING BY NUMBER OF BEDROOMS

Analyzing the town's housing stock by number of bedrooms is useful in determining if there are housing deficiencies such as availability of one-to-two-bedroom homes for smaller households or three-bedroom units for larger families. By the most recent ACS estimates, there are currently zero 1-bedroom renter-occupied units and zero 2-bedroom owner-occupied units. Studio apartments and small homes are often the cheapest options for individuals living alone. The town is dominated by owner-occupied units with 3 or more bedrooms. Most rental units in Upton have 3 bedrooms or more. It is important for communities to offer a variety of bedroom options within their housing stock in order to accommodate individuals and families of all sizes and budgets.

Figure 13: Upton Housing by Number of Bedrooms



Source: American Community Survey 5-Year Estimates-2021

AGE OF HOUSING

Approximately 22% of homes in Upton were constructed prior to 1940, indicating a significant portion of the housing stock is historic. Older homes can have implications for numerous structural, accessibility, safety, and energy issues. Examples of potential challenges include: a high demand for maintenance and repairs, home design that is inaccessible for people with disabilities and mobility impairments, inefficient heating/cooling/insulation systems, and outdated materials that present health risks such as lead paint, asbestos, and lead pipes. It is also a priority to preserve important historic homes that add to Upton's charming character, something that can be achieved through establishing Local Historic Districts or other protective measures.

63% of Upton's housing stock was built between 1970-2009, a time period that saw the largest growth in residential development for the town. Development trends in the United States during this time period are exemplified in many parts of Upton's built landscape outside of its downtown. Prior to WWII, Americans lived in metropolitan areas where they could find housing and nearby jobs; however, postwar population growth saw an expansion of suburban areas. The extension of the highway system and accessibility to automobiles allowed families to live farther from job centers. Suburban sprawl, characterized by low-density, owner-occupied, detached single-family home neighborhoods, was the common development pattern of this time period. This trend was further enforced by zoning codes that divided municipalities' land use into separate districts and allowed this type of housing by-right, a practice that remains today in Upton and most other communities.

Since the 2008 recession, the town has added only a fraction of new homes to its housing stock compared to previous decades in Upton's history. Upton's largest affordable housing complex, Millhaus Apartments, is a historical building which was renovated into 89 apartments in 1982. Most recently, 149 Main Street was completed in 2020 which added 44 affordable housing units to the town's housing stock.

TABLE 11: UPTON HOMES BY AGE

Year of Construction	Number of Housing Units	Percentage of Housing Units
Built 1939 or earlier	617	22%
Built 1940 to 1949	53	2%
Built 1950 to 1959	168	6%
Built 1960 to 1969	131	5%
Built 1970 to 1979	432	15%
Built 1980 to 1989	388	14%
Built 1990 to 1999	535	19%
Built 2000 to 2009	403	14%
Built 2010 to 2019	102	4%
Built 2020 or later	0	0%

Source: American Community Survey 5-Year Estimates 2021

SENIOR HOUSING

Seniors are a growing sector of the Upton population, and housing options should reflect their needs. Seniors have unique and varying residential needs. Most seniors require smaller, affordable, and accessible housing, of which the town has limited availability. There are some senior housing options in town, making it a challenge for those who have established roots here to remain in the community. Elderly residents require a range of options for levels of care, as some can age in place while others are more dependent and need assistance with daily tasks.

There are several age-restricted housing options in Upton. Millhaus Apartments is reserved for low-income seniors age 62+, as well as disabled residents. Coach Road Apartments require residents to meet the age 60+ restriction or have a disability to qualify for their low-income apartments. Rockwood Meadows is a 55+ neighborhood in Upton consisting of single-family attached homes. Upton Ridge is a 55+ community of owner-occupied townhomes.

The Upton Center, under the advisory of the Upton Council on Aging, is a local resource dedicated to protecting the rights of elders to live independently, preserving the dignity of aging, offering support to low-income families, disabled, and elders; responding to individual and family needs, creating a positive relationship between all ages through intergenerational programming, providing opportunities for involvement within the community, and acting as a resource to the community. The COA helps connect seniors with services such as assistance with Medicare and Health Insurance, fuel assistance, Mass Health information, home visits and outreach, senior tax work-off program, flu shots, tax clinic, information about financial assistance, blood pressure, food stamps and other applications, onsite meals and more.

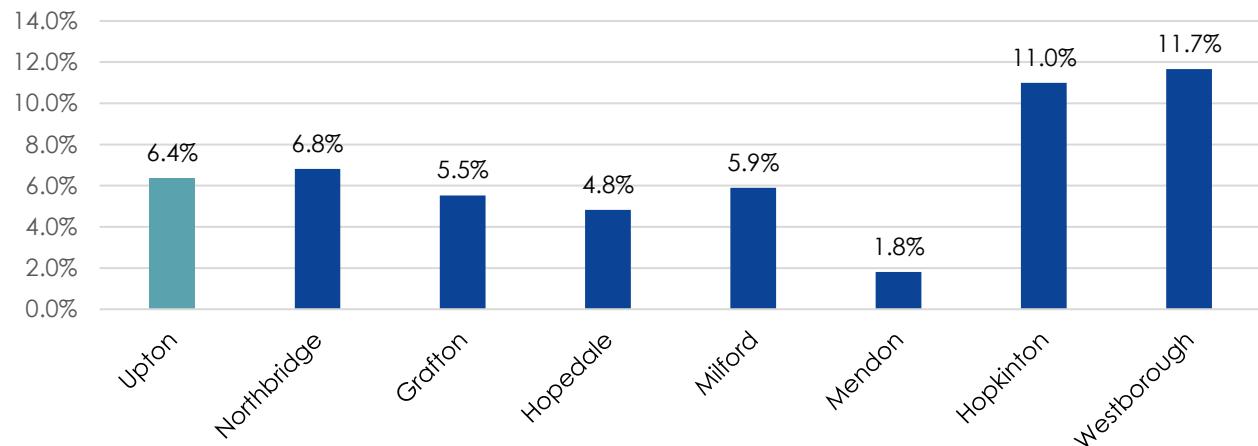
INCOME RESTRICTED HOUSING (SUBSIDIZED HOUSING)

There are currently 189 units in Upton that are restricted for occupancy by low- to moderate-income households. This equates to 6.37% of Upton's year-round housing units included on the Massachusetts Subsidized Housing Inventory (SHI). Massachusetts General Law Chapter 40B sets a goal for each Massachusetts municipality to maintain 10% of its year-round housing stock as affordable to low-to moderate-income households.

TABLE 12: UPTON SUBSIDIZED HOUSING INVENTORY

Project Name	Address	Type	Total SHI Units	Affordability Expires	Built with Comp Permit?	Subsidizing Agency
Coach Roads Apartments	4 Hartford Avenue	Rental	40	Perpetuity	No	DHCD
Millhaus at Upton	Main Street	Rental	89	2032	No	MassHousing
DDS Group Homes	Confidential	Rental	1	N/A	No	DDS
Samreen Villa I	Knowlton Circle	Ownership	13	Perpetuity	Yes	FHLBB
Samreen Villa II	Maple Grove	Ownership	2	Perpetuity	Yes	FHLBB
149 Main Street	149 Main Street	Rental	44	Perpetuity	Yes	MassHousing
						Total Upton SHI Units
						189
						Census 2020 Year-Round Housing Units
						2,967
						Percent Subsidized*
						6.37%
Source: Massachusetts Executive Office of Housing and Livable Communities, 2023						

Figure 14: Subsidized Housing Inventory as of June 29, 2023
Upton and Surrounding Communities



At 6.37%, Upton currently falls below the State-mandated 10% affordable housing requirement. Figure 14 shows where Upton and its surrounding communities currently stand in terms of their Subsidized Housing Inventories (SHI) as of 2023. Only two of Upton's neighbors, Hopkinton and Westborough, have exceeded the 10% threshold, adding pressure to the region's affordable housing market.

Communities that do not meet the goal of maintaining 10% of their housing stock deed-restricted as affordable to those earning 80% or less of the Area Median Income (AMI) risk the vulnerability of developers being granted comprehensive permits to forego existing zoning restrictions. These permits are granted to developers if they reserve at least 25% (or 20% in some cases) of proposed units as affordable. In order to mitigate this risk, towns falling under the 10% requirement must increase their housing stock by at least 0.5% each year, or 1.0% over two years, and have an approved Housing Production Plan, showing that the community is actively making progress to address its housing needs. Upton's housing production goal schedule is included in the Housing Production Goals section on page 55.

HOUSING MARKET

SINGLE-FAMILY HOME MARKET

In 2021, the median sales price for a single-family home in Upton was \$505,100, an increase of 111% since 2000. Upton saw a dramatic increase in homes valued between \$500,000 to \$999,999 and homes over a million dollars in the past two decades. In 2000, there were only seven homes valued over \$500,000 and as of 2021 there are an estimated 1,225 homes in this value range, totaling half of the housing stock. Meanwhile, a decrease has occurred of homes valued between \$50,000 to \$99,999, \$100,000 to \$149,000, and \$150,000 to \$199,999, also known as “starter homes”.

TABLE 13: HOME VALUE OF OWNER-OCCUPIED UNITS, 2021

Value	Number of Units	
	2000	2021
Owner-occupied units	1,477	2,406
Less than \$50,000	12	70
\$50,000 to \$99,999	21	0
\$100,000 to \$149,999	135	11
\$150,000 to \$199,999	309	14
\$200,000 to \$299,999	654	117
\$300,000 to \$499,999	339	969
\$500,000 to \$999,999	7	1,195
\$1,000,000 or more	0	30
Median (dollars)	239,000	505,100

Source: American Community Survey 5-Year Estimates 2021

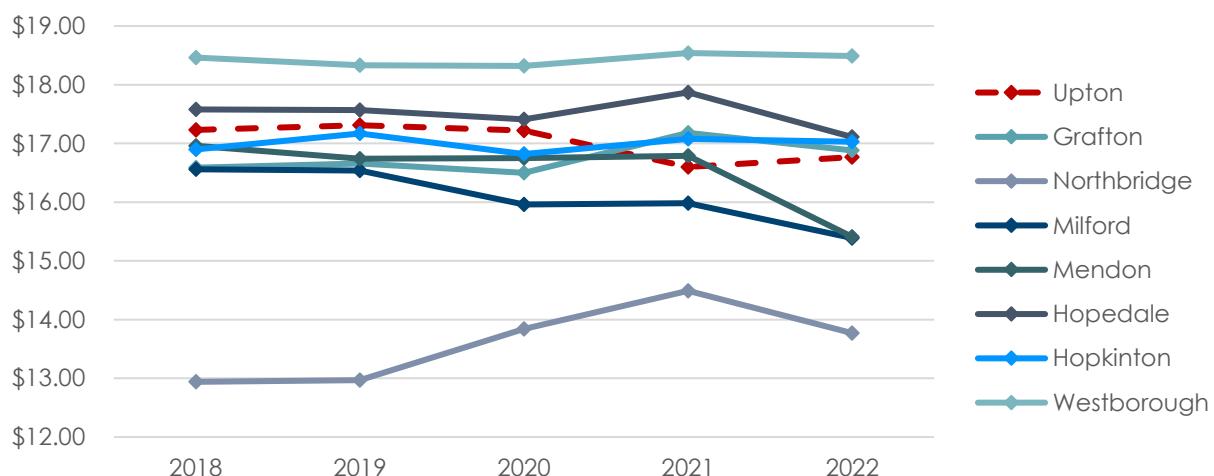
In recent years, Upton's residential tax rates have been higher than many of its neighbors. As of 2022, Upton's residential tax rate is \$16.77 per \$1,000 (Figure 15). Northbridge, Milford, and Mendon currently have lower tax rates than Upton. In fiscal year 2023, the average home value was \$429,732 and the average tax bill was \$7,206.61, according to the Upton Assessor's Office.

Property taxes are an important factor that shape local housing markets as they influence the costs of buying, renting, or investing in homes. Many Upton residents who completed the community housing survey wrote about the challenge of paying increasing taxes but wanting to remain in their homes. Forty percent of survey respondents agreed that, if needed, tax relief for eligible residents would be the most significant factor in helping them remain in their home. High property taxes may prevent many aspiring homebuyers from purchasing a home in town if they are unable to afford high tax bills along with a mortgage, utilities, and other associated costs.

Since 2006, the Town of Upton has offered a Property Tax Work-Off Abatement Program for seniors, which was expanded in 2018 to include veterans. The program allows eligible Upton residents to reduce their property tax liability by up to \$1,500 by volunteering to work in various departments of the Town. Eligible seniors must be homeowners, 60 years or older, and have owned and resided in their primary property for at least one year. Eligible veterans (or their spouses in certain cases) have no age restrictions but must have owned and resided in their primary property for at least one year.

Beginning in fiscal year 2024, qualifying seniors are eligible to apply for a property tax exemption in the amount of the Circuit Breaker Credit for which the applicant qualified in the prior year and is in addition to any other exemption(s). Applicants must be age 65 or older, owned and occupied property in Upton as the primary residence for at least ten consecutive years, maintain assets that do not exceed the excessive assets threshold set by the Board of Assessors, and have an income from the prior year that meets the Circuit Breaker Credit income eligibility requirement.

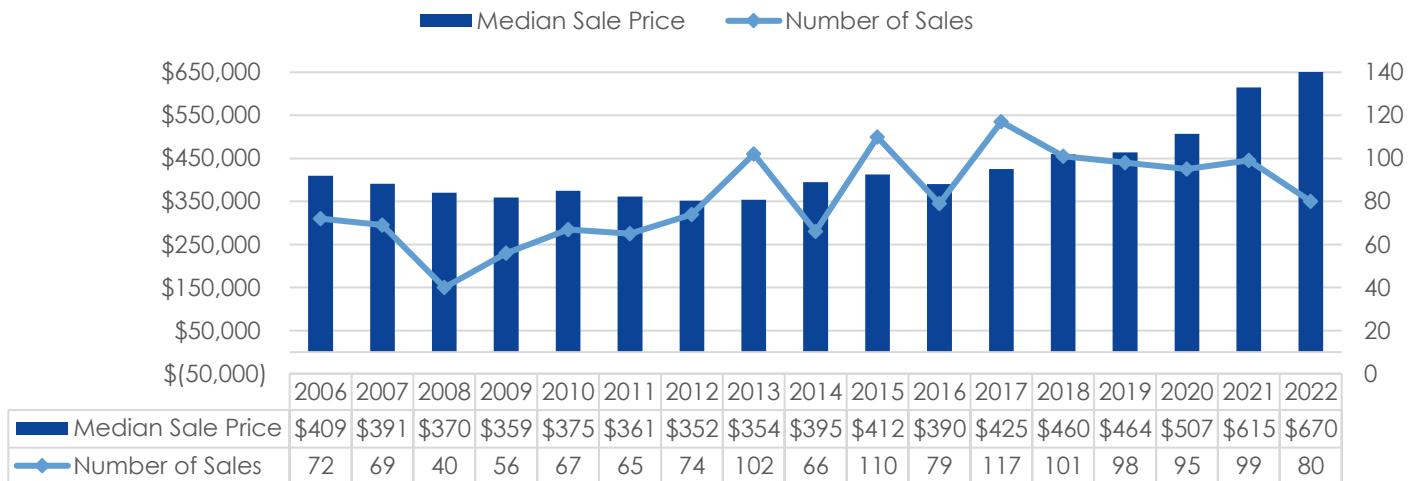
Figure 15: Residential Tax Rates (per \$1,000): Upton and Surrounding Communities 2018-2022



Source: Town Websites

In 2022, the median sale price for a single-family home in Upton was \$670,500, incredibly higher than past decades. House prices have been steadily increasing, with a slight decrease during the recession, to well over half a million dollars. The number of single-family home sales fell to a low of 40 in 2008 and peaked in 2017 at 117 sales. Between 2018 and 2022, single-family homes sale prices were at a record high, while the number of home sales declined in relation to 2013-2017 spikes.

Figure 16: Single Family Home Median Sale Price and Total Sales Volume
2006-2022

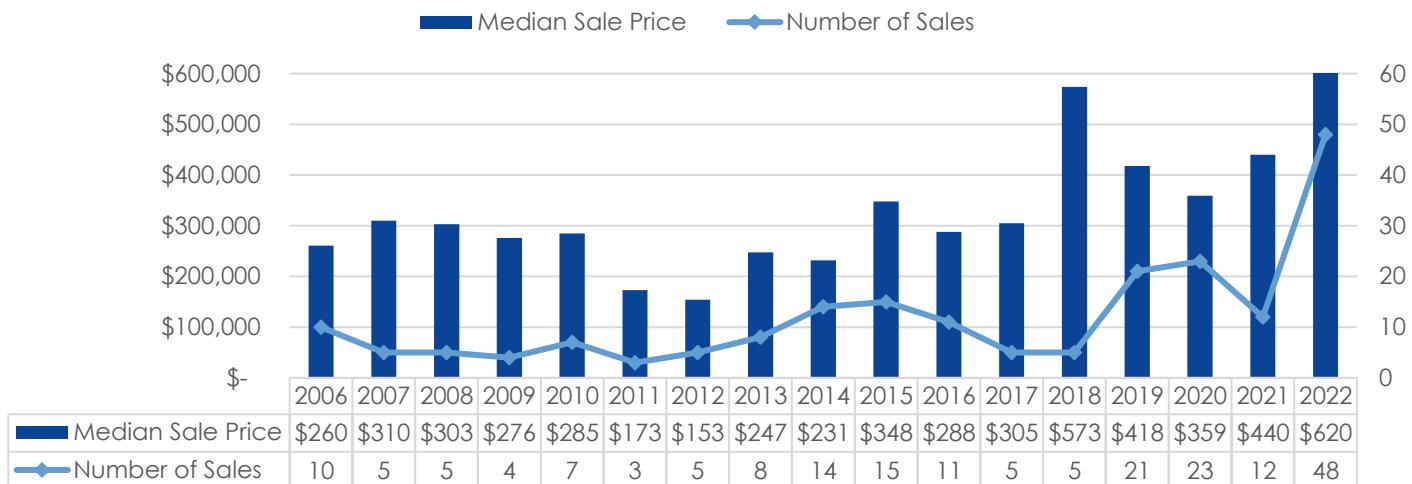


Source: The Warren Group 2006-2021; Massachusetts Association of Realtors 2022

CONDOMINIUM MARKET

Condominiums are often regarded as a middle ground between apartment rental and single-family home ownership. Occupancy in these units can indicate demand from households in transition. A transitional household is a household that is moving between rental housing and single-family housing. This could be a young family purchasing a starter home or a senior that wishes to downsize. The number of condominium sales were relatively low between 2006 and 2013, with an increase beginning in 2019 likely attributed to the availability of newly constructed units. Median costs of a condominium are typically cheaper than a single-family home, although peaks in recent years have lessened the gap. In 2022, the median sale price of condominiums was only \$50,000 less than the median sale price of single-family homes in Upton. Additional condominium supply may assist with home affordability in the town.

Figure 17: Condominium Median Sale Price and Total Sales Volume
2006-2022



Source: *The Warren Group 2006-2021; Massachusetts Association of Realtors 2022*

RENTAL MARKET

As of 2021, Upton has an estimated 286 units of occupied rental housing, or around 10% of the total occupied housing stock (Table 14). The American Community Survey estimated the median gross rent for Upton to be approximately \$916 per month, which is lower than the State and the County, both of which are above \$1,000 per month. The most recent local data on asking rents collected from Zillow and Trulia in 2023 shows limited options. A 4-bedroom house was listed for \$4,500 a month, an additional 4-bedroom home was listed for \$3,800 a month, and a 3-bedroom house was listed for \$3,000. There were no rental units available for less than \$3,000 a month or with less than 3 bedrooms.

Low vacancy rates paired with high asking rents pose challenges for low-income families that participate in the Section 8 Program. The Section 8 Housing Choice Voucher Program (HCVP) issues eligible households a voucher to obtain their own rental housing, in which a rental subsidy is paid directly to the landlord on behalf of the participating family by a participating housing agency. The subsidy is determined by the family's income and the family pays the difference between the actual rent charged by the landlord and the amount subsidized by the Section 8 program. Individuals and families often wait years to make it off the waiting list for this program. Eligible households are issued a Section 8/HCVP Voucher and given only 120 days to locate their own rental housing. If no rental housing options within their price range come on the market, then the families lose the voucher opportunity.

Initial costs of renting an apartment (first and last month's rent, security deposit, and sometimes broker fees) can be costly and preclude some lower-income households from affording to rent a home that meets their needs. While home sales prices are on the rise, so too have rents risen in the region. Reasons for price increases may be attributed to financial uncertainty of owning a home, an expensive housing market that excludes first-time homebuyers from entering the homeownership market and forcing them to rent for longer periods of time, or significant individual debt (such as emerging college-graduates) preventing entrance into the homeownership market.

TABLE 14: GROSS RENT

	Estimate	Percent
Occupied units paying rent	286	--
Less than \$500	109	38%
\$500 to \$999	81	28%
\$1,000 to \$1,499	50	18%
\$1,500 to \$1,999	34	12%
\$2,000 to \$2,499	0	0%
\$2,500 to \$2,999	12	4%
\$3,000 or more	0	0%
Median Gross Rent	\$916	--

Source: American Community Survey 5-Year Estimates 2021

FORECLOSURES

Foreclosures are a useful indicator of the health of a housing market. Unusual spikes in foreclosure rates can indicate instability in the market. Table 15 shows both petitions to foreclose and foreclosure sales for all home types since 2006.

Petitions to foreclose indicate foreclosure action has been initiated by the mortgage holder. Such action does not necessarily lead to the resident losing their home. Rather, it suggests some hardship or instability that affected the homeowners' ability to keep up their payments. The number of foreclosure sales tells us the volume of mortgages that have completed the foreclosure process and the mortgage holder is attempting to recoup their losses. Comparing these two numbers gives a sense of how much instability there is in the Upton market. As Table 14 shows, several petitions have made it to the sale stage annually, indicating that homeowners have occasionally been unable to come to some sort of arrangement to keep their home. Foreclosure sales have averaged around 2 each year, with exceptions in 2007 (10 sales) and 2017 (7 sales).

TABLE 15: FORECLOSURES FOR ALL HOME TYPES

Year	Petitions to Foreclose	Foreclosure Sales
2006	11	3
2007	23	10
2008	11	1
2009	25	1
2010	18	1
2011	6	0
2012	14	2
2013	3	2
2014	8	0
2015	9	3
2016	5	2
2017	7	7
2018	11	2
2019	6	1
2020	1	0
2021	2	0

Source: The Warren Group, 2022

DEVELOPMENT AND BUILDING ACTIVITY

Like other commodities, the value of a home is greatly influenced by supply and demand. While there are many factors at work in determining home value, high demand intersecting with constrained supply will inevitably result in higher prices. Table 16 shows the number of building permits for new housing units issued annually between 2006 and 2022. Single-family building permits have been issued annually, with a slight decline following the 2008 recession. Since 2016, at least 30 permits for single-family home construction have been issued each year. According to HUD, no permits for two-family or multi-family structures have been granted in recent decades. While a percentage of these authorized units may not have been constructed, the trend of lacking multi-family housing construction may be impacting home prices.

In the 2009 edition of "Losing Ground", a statewide analysis of land use and development by the Massachusetts Audubon Society, Upton was ranked 26 out of 351 Massachusetts Towns in terms of land lost to development between 1999 and 2005 and 10th in land lost to new housing development. Upton is within an area of high development that Massachusetts Audubon terms the "sprawl frontier". Upton was ranked 77th in the 2014 report and 110th in the 2020 report.

TABLE 16: UPTON RESIDENTIAL BUILDING PERMITS BY YEAR, 2006-2022

Year	Total Building Permits	Single-Family Structures	2-Family Structures	3+ Unit Multi-Family Structures
2006	48	48	0	0
2007	37	37	0	0
2008	23	23	0	0
2009	19	19	0	0
2010	19	19	0	0
2011	10	10	0	0
2012	7	7	0	0
2013	11	11	0	0
2014	7	7	0	0
2015	27	27	0	0
2016	47	47	0	0
2017	30	30	0	0
2018	33	33	0	0
2019	32	32	0	0
2020	33	33	0	0
2021	38	38	0	0
2022	72	72	0	0

Source: Department of Housing and Urban Development SOCDS Building Permits Database, 2022

HOUSING CHALLENGES

REGULATORY CONSTRAINTS

In Massachusetts, zoning authority is devolved to local governments by Massachusetts General Law Chapter 40A. Upton is divided into nine zoning districts, and two overlay districts. The Planning Board and the Zoning Board of Appeals (ZBA) serve as the primary special permit granting authorities (SPGA) depending on the circumstances. The ZBA also holds the power to grant variances.

Regulatory constraints are zoning bylaws, policies, and regulations which may be impeding the development of affordable housing. Regulations and ordinances set by local and state authorities in Massachusetts are often exclusionary and are designed to favor single-family homes. The various regulatory constraints to the affordable housing market in Upton are described in this section.

MULTI-FAMILY DWELLINGS

An essential strategy for increasing affordable housing options is to facilitate the development of multi-family dwellings in an area of a community. While multi-family dwellings are allowed in Upton, they are only permitted under specific and relatively restrictive conditions. Upton's zoning defines a multi-family dwelling as a building designed for and occupied by three (3) or more families. Currently, there are no zoning districts that allow multi-family housing by-right.

In 2021, Upton was designated as an "MBTA Community" defined under Section 1 of M.G.L. c. 161A. The requirement under Section 3A of M.G.L. c. 40A states that an MBTA Community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right, and that meets other criteria set forth in the statute. Failure to comply with the law results in a loss of eligibility for the community, for certain funding programs. As of 2023, Upton is taking the necessary steps to comply with this law.

ZONING PROVISIONS THAT ADDRESS AFFORDABLE HOUSING AND SMART GROWTH

PLANNED VILLAGE DEVELOPMENT

A Planned Village Development may only be permitted by a special permit in a Commercial & Industrial District. The intent of this Planned Village Development Bylaw is to permit greater flexibility and more creative and imaginative design for the development of municipal, commercial, retail, general business, and residential mixed-use areas than is generally possible under conventional zoning provisions. It is further

intended to promote a vibrant, compact, pedestrian-friendly development with the virtues of a traditional New England village, but with modern amenities and services, enabling residents of diverse income levels and ages to live, work, or retire in a well-planned built, and natural environment. In addition, the Town may use this bylaw to promote unmet housing needs, including affordable housing and handicap barrier-free housing.

SCHEDULED DEVELOPMENT IN APPROVED SUBDIVISIONS

The objective of this Section is to relate the timing of residential development to the Town's ability to provide services to such subdivision development, and thereby promote the health, safety, convenience, and welfare of the inhabitants of the Town, by regulating the maximum rate at which individual developments may proceed. This Section shall take effect only when and if the Building Inspector determines that forty-four dwelling units, including units in multi-family complexes, have been authorized town-wide within a twenty-four-month period.

TOWNHOUSE AND GARDEN APARTMENTS

This bylaw establishes criteria for townhouse and garden apartment developments in the town of Upton. These units will be permitted in SRA and SRB districts. There are no provisions related to the affordability of these units. Units may be ownership or rentals. There must be the equivalent of 15,000 square feet of lot area per dwelling unit in a Single Residential SRA District and an equivalent of 25,000 square feet of lot area per dwelling unit in an SRB District. No more than 8 dwelling units in any one townhouse building and no more than 12 dwelling units in any garden apartment building are permitted.

OPEN SPACE RESIDENTIAL DEVELOPMENT

The Open Space Residential Development (OSRD) bylaw allows for development and preservation of a minimum 10-acre tract located in an Agricultural-Residential, SRB, SRC, or SRD District. The open space portion, which must generally be contiguous within the OSRD, must be used solely for wildlife habitat conservation, watershed protection, agriculture, forestry, or recreation purposes. The Planning Board may allow an increase of up to 20% of the number of dwelling units beyond the basic maximum number. For every two dwelling units restricted in perpetuity to occupancy by moderate-income households, a density bonus of one market rate dwelling unit may be awarded.

The primary objectives of the Open Space Residential Development bylaw are:

1. To permit greater flexibility and more creative and imaginative design for residential development than is generally possible under conventional zoning;
2. To encourage the permanent preservation and protection of open space, agricultural land, forestry land, wildlife habitat, geological features, and other

natural resources including aquifers, water bodies, and wetlands in a manner that is consistent with the Upton Master Plan and the Upton Open Space & Recreation Plan;

3. To encourage a less sprawling and more efficient form of development that consumes less open space land and conforms to existing topography and natural features better than a conventional or grid subdivision;
4. To minimize the total amount of disturbance on the site;
5. To further the goals of the Upton Master Plan and the Upton Open Space & Recreation Plan;
6. To facilitate the construction and maintenance of housing, streets, utilities, and public service in a more economical and efficient manner;
7. To encourage preservation of stone walls and other historic structures and historic landscapes.

SENIOR HOUSING COMMUNITIES

The purpose of the Senior Housing Community bylaw is to encourage development that provides alternative housing choices for those age 55 years or older. A Senior Housing Community, under single ownership or as condominiums, may only be permitted by a special permit in Single Residential SRA, SRB, SRC, and SRD Districts. The residential density in an Independent Senior Housing Community shall not exceed six bedrooms per acre of developable area and shall contain no more than 200 bedrooms except when optional incentive provisions have been applied. A minimum of 25% of the development site must be dedicated to open space. Parking must be provided equaling 1.5 parking spaces per bedroom.

For each affordable housing unit provided, a density bonus of four additional bedrooms may be permitted as long as an increase no greater than 15% in the number of bedrooms permitted in the senior housing community occurs. Another density bonus of four additional bedrooms for every five acres of land that is donated to the municipality or open to public use may be permitted. Off-site locations of affordable housing, recreational space, or open space may be accepted.

ACCESSORY APARTMENTS

The purpose of the Accessory Apartments bylaw is to provide additional dwelling units for the family members of property owners. This is a common option that allows family members of different ages to live together and can allow seniors to age in place in Upton. Accessory apartments are subject to a special permit from the Zoning Board of Appeals. Occupancy is limited to family members, au pairs, or health care providers. Accessory apartments may not exceed 1,000 square feet in floor space with no more than two bedrooms, and only one may be established on a lot. The exterior shall not be significantly

different from the appearance of a single-family home. There shall be at least two off-street parking spaces for the principal dwelling unit and one for the accessory apartment.

UPTON CENTER BUSINESS DISTRICT

Mixed-use developments are permitted in the General Business District and Upton Center Business District by special permit. They are subject to similar rules as accessory apartments. The Upton Center Business District is supported by a set of design standards that guide the development requirements related to site design, utility and service areas, driveways and parking, sidewalks and pathways, bulk massing and scale, styles, and materials, and more.

LARGE LOT FRONTAGE REDUCTION, SPECIAL PERMIT

The intent of the large lot frontage reduction is to permit greater flexibility and more creative and imaginative design for the development of residential areas than is generally possible under conventional zoning provisions. It is further intended to promote more economical and efficient use of the land, while preserving the natural environment and scenic qualities of open space which otherwise might be lost. A residential lot with reduced frontage may only be permitted by a special permit in all residential districts where residential use is permitted b-right.

DIMENSIONAL REQUIREMENTS

Article 4 of the Zoning Bylaws defines dimensional requirements, including area, yard, and height regulations. Table 16 shows a schedule of the required minimum lot size, minimum lot frontage, minimum setbacks, lot width, and height for each zoning district. The regulations for development are the primary distinction between the various residential districts.

The minimum lot size for residential districts varies from 15,000 square feet to 80,000 square feet. No more than 30 percent of a lot's area may be covered by structures. Requirements for multi-family housing are addressed in the prior section. Reducing the minimum requirements for lot size, frontage, and setbacks in certain districts could have many beneficial impacts and attract developers willing to help create a mixed-use environment that is more interconnected and walkable. This could be especially useful in areas of town with existing development along major roads, as it would allow future new housing and business development to not encroach on undeveloped rural areas, preserving Upton's natural beauty.

TABLE 17: DIMENSIONAL REGULATIONS

Zoning District Name	Short	Minimum Lot Dimension		Minimum Setback Requirements			Maximum Building Height		Max Pct. Coverage Incl. Acc. Bldg.
		Area Square Feet	Front Linear Feet	Front Linear Feet	Side Linear Feet	Rear Linear Feet	Number of Stories	Height Linear Feet	
Single Residential A	SRA	15,000	100	25	10	30	2.5	30	30%
Single Residential B	SRB	25,000	150	40	20	30	2.5	30	30%
Single Residential C	SRC	40,000	180	40	25	30	2.5	30	30%
Single Residential D	SRD	60,000	210	40	30	30	2.5	30	30%
Agricultural Residential	AR	80,000	240	50	30	50	2.5	30	30%
General Business	GB	See Note	See Note	30	10	20	2	25	40%
Commercial & Industrial	C&I	See Note	See Note	30	20	20	1	25	40%
Upton Center Business District	UCBD*	10,000	100	30	10	20	2	25	40%
Municipal Government Facilities	MGF	5 acres	200	40	50	50	3	35	50%

Note: In all General Business Districts and Commercial & Industrial Districts, except as herein provided, no building shall be constructed on a lot having less area or having less frontage on a public or private way than the area and frontage, respectively, required for the least restricted Single Residential District adjacent thereto.

* For lots in the UCBD, the following dimensional flexibility may be allowed by special permit:

- The minimum setbacks may be decreased down to the following limits: front linear feet: 0; side linear feet: 10; rear linear feet: 20.
- The maximum building height may be increased up to the following limits: number of stories: 3.5; linear feet: 50.
- The maximum percent coverage including accessory building may be increased up to a limit of 80%.
- The special permit granting authority (SPGA) for the above shall be the Zoning Board of Appeals except when the lot principal use requires a special permit from the Planning Board, in which case the SPGA for the above shall be the Planning Board.

PARKING PROVISIONS

The Zoning Bylaws detail parking requirements for specific commercial uses. There are no specific parking requirements for single-family homes. Parking provisions for townhouses and garden apartments are detailed in a prior section and can vary from one to three spaces per dwelling unit depending on the number of bedrooms.

Mixed-use developments in the Upton Center Business District are subject to specific parking requirements as well. Shared off-street parking is encouraged and desirable when feasible in the UCBD. For non-competing uses, the Planning Board may allow the reduction of parking requirements by up to 75 percent, and for competing uses, the Planning Board may allow the reduction of parking requirements by up to 30 percent, subject to a peak demand study in both cases. Minimum parking spaces for a mixed-use development are determined by a study reviewed and approved by the Planning Board. A formal parking study may be waived for small developments where there is established experience with the land use mix and its impact is expected to be minimal. There are additional provisions for a shared parking plan in the Upton Center Business District.

ENVIRONMENTAL CONSTRAINTS

SOILS, LANDSCAPE, AND TOPOGRAPHY

Upton's landscape is characterized by rolling hilltops and river valleys. Elevations range between 250 feet and 645 feet. Broad areas of relatively level land are most prominent along the West River. There are several large natural ponds. Open fields are uncommon due to loss to development and overgrowth of vegetation in historic pastures. Boulders, including some very large glacial erratics, dot the landscape in many locations. The Upton State Forest comprises 16% of the town, or 2,271 acres.

Upton's soils are composed largely of soils formed from glacial deposits. The primary soil associations in Upton include Gloucester – Hollis – Acton (adequate for low density residential), Merrimac – Hinckley (adequate for residential), Hollis – Gloucester – Acton (adequate for scattered housing tracts), Essex – Scituate, and Muck – Scarboro – Ridgebury. High-quality agricultural soil is uncommon.

FLOODPLAINS, WETLANDS, AND WATER RESOURCES

Almost all of Upton is within the Blackstone River Watershed. About 150 acres, or 1.6 percent, of Upton is surface water. There are several flood hazard areas in Upton. The most significant is the West Hill Dam Flood Control Project, which is managed by the U.S. Army Corps of Engineers. The dry bed flood control reservoir includes over six hundred acres of flowage easements in Upton along the West River and Center Brook.

Thirteen percent of Upton is identified as wetlands, predominantly forested wetlands, by the Massachusetts Department of Environmental Protection. One of the largest wetland systems in Upton is located along the West River between Lower Hartford Avenue and Pleasant Street. This eighty-acre area encompasses Old Zachary Pond. Another large wetland system is off Southborough Road near Westborough Road. Beaver activity has increased wetland habitat in many locations.

The town has approximately thirty-two vernal pools certified by the Massachusetts Natural Heritage Program and dozens of other potential vernal pools. These areas provide critical habitat for amphibians, including several rare salamander species.

VEGETATION, FISHERIES, AND WILDLIFE

In 2010, the Massachusetts Department of Fish and Game and The Nature Conservancy published BioMap2. BioMap2 identifies species habitats and high-quality ecosystems across the state that are critical for biodiversity and that will enhance ecological resilience to climate change and other threats if protected. BioMap2 identifies Core Habitat and Critical Natural Landscape.

- *Core Habitat* identifies key areas that are critical for the long-term persistence of rare species and other species of conservation concern, as well as a wide diversity of natural communities and intact ecosystems across the Commonwealth.
- *Critical Natural Landscape* identifies large natural landscape blocks that are minimally impacted by development. If protected, these areas will provide habitat for wide-ranging native species, support intact ecological processes, maintain connectivity among habitats, and enhance ecological resilience to natural and anthropogenic disturbances. About forty percent of the Commonwealth is mapped as BioMap2 habitat.

About a quarter of the land in Upton is classified as BioMap2 habitat. BioMap2 habitat in Upton includes Forest Core and Critical Natural Landscape in the northern part of town, rare species habitat along Warren Brook, Center Brook, and the West River, Critical Natural Landscape in the Miscoe Hill area, and several other areas. According to The Massachusetts Audubon's 2014 Losing Ground report, twenty-one percent of BioMap2 habitat is protected in Upton. Upton ranked 284 out of 342 towns and cities in the level of protection.

Three rare plant species have been reported in Upton:

- Philadelphia panic-grass (*Panicum philadelphicum*) is listed as a species of Special Concern by the Massachusetts Natural Heritage and Endangered Species Program (MA NHESP).
- The great laurel (*Rhododendron maximum*) is listed as a Threatened species by the MA NHESP and is known to occur in less than twenty towns in Massachusetts.

Several state-listed rare animal species occur in Upton. These include two turtles, two salamanders, a fish, and three invertebrates (a freshwater mussel and two insects):

- Wood turtle (*Clemmys insculpta*), and eastern box turtle (*Terrapene carolina*) have been reported in areas of Upton in the last few years. These species are listed as species of Special Concern by the MA NHESP.
- The marbled salamander (*Ambystoma opacum*) is a mole salamander listed as Threatened by the MA NHESP.
- The spotted salamander (*Ambystoma laterale*) is listed as a Special Concern by the MA NHESP.
- The brindled shiner (*Notropis bifrenatus*) is a fish listed as Special Concern by the MA NHESP.
- The ringed bog haunter or banded bog skimmer (*Williamsonia lintneri*) is a dragonfly that is listed as Endangered by the MNHESP.
- The triangle floater (*Alasmidonta undulata*) is a freshwater mussel, listed as a Special Concern by the MA NHESP

HAZARDOUS WASTE, POLLUTION, AND STORMWATER

As of 2023, there were two hazardous waste sites in Upton identified as Brownfields with MassDEP. These are identified as Gasco Express Facility, located at 44 Milford Street, and Town of Upton Landfill, a 43.8-acre site located at 25 Maple Ave. Brownfield sites are not required to "self-identify" or register with the Department of Environmental Protection (DEP) therefore it is possible there are properties in town that would qualify as a Brownfield. There are records of ten (10) underground storage tanks located within Upton. These are important to monitor due to their potential adverse environmental effects should there be a leak, spill, or other issue.

Non-point source pollution is a significant concern for water quality as it can threaten the health of residents and wildlife if it reaches local water and groundwater resources. Sediment from construction, unpaved private roads, and winter sanding wash into local water bodies and cause water quality issues. Aggregation of impervious surfaces causes rainwater, with whatever sediment or pollution it picks up, to run off into water bodies unless managed carefully.

Effective control of non-point source pollution results from thoughtful land management and includes tools such as Low Impact Development (LID) and Smart Growth strategies, protective zoning bylaws and policies, and best management practices for stormwater management, construction, septic operations, and road maintenance. Upton has a Stormwater Management Bylaw and the Public Works Department is implementing a Phase II Stormwater Management Plan. The Board of Health has prepared a set of Wellhead Protection Regulations to help manage land uses taking place within the Zone II contribution areas for Upton's municipal water wells.

COMMUNITY INFRASTRUCTURE

The availability of water is essential for the growth and development of any community. The water distribution system in Upton consists of approximately thirty miles of water mains, one wellfield near Glen Avenue, one additional well near West River Street, and two water storage facilities on Pearl Street and Pratt Hill. Between both the Pearl Street and Pratt Hill Tanks, the total storage capacity is approximately 1.07 million gallons. Upton is considered a small system, with fewer than 3,300 customers.

The sewer system is managed by the Upton Department of Public Works. The wastewater collection infrastructure contains approximately 44,000 linear feet of gravity sewers, two pumping stations, and force mains; it serves the West Upton and Upton Center areas of town. The system was originally built in the 1870s for the Knowlton Hat factory, buildings, and surrounding homes. The treatment facility currently in operation was constructed in 1971 and upgraded in 1999. The system transports an average of 200,000 gallons per day of wastewater to the treatment plant. That flow rate can increase to over 300,000 gallons per day in the spring. With a current average annual flow of 0.27 mgd and a permitted capacity of 0.40 mgd, this facility is operating at 67.5% of its permitted capacity. The majority of the flows consisted of domestic sewage, with the remaining composed of institutional and commercial wastewater as well as groundwater infiltration and inflow.

No passenger rail or bus service exists in Upton but access to the MBTA commuter rail is available in Westborough and North Grafton. Upton's primary link to the interstate highway system is Hopkinton Street, which has become a major throughway to I-495 for both Upton and other towns in the Blackstone River Valley. Driving northeast on Hopkinton Street for ten minutes provides a link to I-495, which in turn provides a link to the Massachusetts Turnpike (I-90) a ten-minute drive north. However, this ready access to I-495 has created a significant traffic issue in town, making this trip take much longer than it normally should. A section of the Mass Pike does extend across north Upton, but there is no direct access to the Pike in Upton. Route 140 extends in a west-to-east direction through the center of Upton.

SUBSIDIES AND STAFF CAPACITY

State and Federal financial resources to subsidize affordable housing production are very limited and competitive across Massachusetts. As housing prices continue to rise, deeper subsidies are required to fill the gaps between what housing costs to develop and what residents can realistically afford. Record-high housing sale prices and buyers willing to pay tens of thousands of dollars over asking prices are part of a highly competitive housing market. The need for deed-restricted affordable housing has only become more crucial as subsidies become less available.

Upton is fortunate to have both a Community Preservation Fund and Affordable Housing Trust as local subsidies for housing initiatives. These two resources provide a reliable source of funding for all items related to affordable housing.

The Town has limited staffing capacity to prioritize affordable housing efforts. The Town staffs a Town Planner who has little extra capacity for additional responsibilities. Limited Town resources to fund a part-time, full-time, or shared professional housing coordinator to adequately address affordable housing initiatives is a barrier to Upton achieving the goals of this HPP.

LAND AVAILABILITY

Although there are large tracts of undeveloped land in Upton, much of the land has restrictions on it that constrain feasible development for housing. Out of Upton's total land area equaling 13,853 acres, 29.5% is considered protected open space (4,090 acres). There are some municipally owned sites that have potential for the creation of new housing, as well as vacant or underutilized properties that could be redeveloped.

COMMUNITY PERCEPTIONS

Proposed new housing development in rural and suburban towns such as Upton can easily raise concerns and apprehensions by residents. Wariness about the impact that new units will have on local services, capacity of schools, property values, quality of life, etc. are common, and impressions of what "affordable housing" looks like often hold negative connotations. Misunderstandings about affordable housing and the people living in these units result in their stigmatization, and development proposals are consistently faced with local opposition.

Throughout the HPP public outreach process, Upton residents have expressed a mix of reactions regarding the possibility of future housing development. In general, residents value the small-town feel of Upton and have reservations about new housing units in town, particularly developments with significant density. Residents also have concerns about building new housing in areas that are more appropriate for much-needed business development.

Utilizing this Plan, it is important to continue community outreach efforts and education about the significance of affordable housing in Upton. Informing local leaders and residents on these issues will help dispel negative stereotypes and garner political support. Providing up-to-date, accurate information on the topic of housing will be a key strategy to gathering support. Notably, community concerns should be addressed with sensitivity.

HOUSING PRODUCTION GOALS

This Housing Production Plan is intended to guide the town in taking local control of its approach to affordable housing. Although the Town of Upton has not yet met the 10% affordable housing threshold set by the State, the town does not necessarily face repercussions if that goal is not immediately met. The State encourages communities to gradually add affordable units to their housing stock. For a small town such as Upton, this approach ensures that municipal resources are not overly strained with new housing and families. If the Town has a certified HPP in place, demonstrating that it has added a set number of affordable units to its housing stock each year and gradually making progress of adding units to the Subsidized Housing Inventory, the Town will be granted the power to deny comprehensive permits under Chapter 40B until the 10% threshold is satisfied.

An HPP is required to set two types of goals: an annual numerical goal for affordable housing production, and qualitative strategies based on the type, affordability, location, and other desired aspects of new affordable housing. Table 18 shows the annual numerical goal for affordable housing production.

TABLE 18: FIVE YEAR HOUSING PRODUCTION SCHEDULE FOR UPTON

Year	Annual Additional Units to the SHI (0.5% of 2,967 units)	Total Affordable Units on the SHI	Percent Affordable	Gap (Number of units needed to achieve 10%)
2023 (Current)		189	6.4%	108
2024	15	204	6.9%	93
2025	15	219	7.3%	78
2026	15	234	7.9%	63
2027	15	249	8.4%	48
2028	15	264	8.9%	33

Using the current HLC baseline of 2,967 year-round housing units (sourced from the 2020 U.S. Decennial Census), Upton currently has 6.37%, or 189 units, of its housing stock qualify on the Subsidized Housing Inventory (SHI). The Town needs to add 108 more qualifying units to the SHI in order to achieve the goal of 10%, or 297 total units, on the SHI.

Upton is encouraged to produce SHI-eligible units totaling 0.5% of the year-round housing stock according to the most recent Census over the course of one year, or 1.0% over the course of two years. To produce 0.5% of its total units annually as SHI units, Upton will need to add 15 SHI-eligible housing units each year. Given this production pace, in five years the town would reach 8.9% and by 2031 would achieve the 10% affordable housing mandate.

HOUSING STRATEGIES

To achieve the housing production goals efficiently, the following strategies have been developed based on a wide variety of sources including:

- Prior planning efforts in Upton, including the 2012 Housing Production Plan
- Priority housing needs identified in the Housing Needs Assessment
- Public comments from the Housing Production Plan Public Workshop on March 16, 2023
- Results of the 2022 Upton Housing Needs Survey
- Discussions of the Housing Production Plan Committee at regularly scheduled meetings
- Successful case studies of housing initiatives in other municipalities throughout the Commonwealth

The Upton Planning Board voted to adopt the Housing Production Plan on [insert date] and the Upton Board of Selectmen voted to adopt the Housing Production Plan on [insert date].

The primary objective of the Plan is to guide the Town to meet the 10% affordability threshold under Chapter 40B, it should be noted that the Town also strives to serve a wide range of local housing needs. Therefore, there are instances within this Plan in which housing initiatives may be promoted to meet such needs that will not necessarily directly result in the inclusion of units on the Subsidized Housing Inventory.

GOAL 1: BUILD LOCAL CAPACITY TO PROMOTE AFFORDABLE HOUSING

In order to carry out the strategies recommended by this Housing Production Plan and meet production goals, it will be essential for the Town of Upton to build its capacity to promote affordable housing activities. This capacity includes gaining access to greater resources – financial and technical – as well as building local political support, further developing partnerships with public and private developers and lenders, and creating and augmenting local organizations and systems that will support new housing production. It should be mentioned that Upton is fortunate to have a number of local entities in place, which have provided important leadership and expertise in the area of affordable housing. Specific actions to help build local capacity to meet Upton's housing needs and production goals are detailed below. While these strategies do not directly produce affordable units, they provide the necessary support to implement a proactive housing agenda that ultimately will result in new unit production.

1.1 CONDUCT ONGOING COMMUNITY OUTREACH

A major barrier is community perception of affordable housing. As is the case in many MetroWest communities, concerns over the integration of affordable housing into the overall fabric of the community exist. Many of these housing strategies rely on local approval, including Town Meeting, hence community support is essential to pass new initiatives. Outreach should also target housing developers interested in including affordable units in their developments. Outreach and education efforts can include the following strategies:

- *Forums on specific new initiatives.* As the town pursues recommendations in this Housing Production Plan and develops new housing initiatives, the sponsoring entity should hold community meetings to ensure a broad and transparent presentation on these efforts to other local leaders and residents, providing important information on what are being proposed and opportunities for feedback before local approvals are requested.
- *Housing summits.* The town of Upton would benefit from hosting regular summits to share information on current housing issues and seek feedback from the community. This is an opportunity to foster greater communication and coordination among municipal entities involved in housing-related matters. Additionally, inviting community residents can help build community interest, improve communication, and garner support. These housing summits could be structured as a panel discussion of municipal officials with invited guests, a community dinner with a presentation and feedback session, or other form of an open community meeting.
- *Public information on existing programs and services.* The Town should actively promote information about existing programs and services in Massachusetts that support homeownership, property improvements, assistance to reduce the risk of foreclosure including first-time homebuyer, and foreclosure prevention counseling. The dissemination of relevant information on the Town website, community local access television, or as municipal tax or water bill inserts can broaden community understanding of important resources.

1.2 SECURE PROFESSIONAL SUPPORT

As a whole, the strategies included in this Plan require a significant time commitment from Town officials or volunteers on boards and committees. Additionally, they involve specialized expertise in planning as well as housing programs, policy, and development. The Town Manager, Town Planner, Code Enforcement Staff, and Planning Board Administrative Clerk have limited capacity to take on additional duties. Added professional support and expertise could benefit the town tremendously. A staffer dedicated to housing coordination could provide a number of services to the town, depending on what the needs are, including:

- Public education
- Grant writing
- Maintaining the Subsidized Housing Inventory (SHI)
- Outreach to establish relationships with developers, lenders, funders, service providers, etc. to promote community housing efforts
- Overall coordination of the implementation of strategies outlined in this Plan and providing necessary professional support as needed

Various municipalities have handled this need for professional support differently and there are many options and models for securing professional expertise. The Town could hire a full-time or part-time housing coordinator, or a shared position with another community. A part-time consultant could be secured or brought on as needed to handle specific activities including environmental engineers for predevelopment work, appraisers, surveyors, etc. An Assistant Town Planner could be hired to assume coordination of housing-related activities. CMRPC recently was granted funding to develop a Regional Housing Coordinator position for interested communities in Central Massachusetts. This is an opportunity that the Town is encouraged to consider participating in, especially if it does not have the capacity to hire a full-time coordinator.

The Town's Community Preservation Act (CPA) funds can be utilized to fund professional support. A proposal should be crafted and presented to the Community Preservation Committee for the funding of a professional staff person or consultant using Community Preservation funding, which ultimately will have to be approved by Town Meeting.

1.3 CONTINUE TO CAPITALIZE THE UPTON AFFORDABLE HOUSING TRUST

The state enacted the Municipal Affordable Housing Trust Fund Act on June 7, 2005, which simplified the process of establishing housing funds that are dedicated to subsidizing affordable housing. The law enables communities to collect funds for housing, segregate them out of the general budget into an Affordable Housing Trust Fund, and subsequently use these funds without returning to Town Meeting for approval. Additionally, trusts can own and manage real-estate, though most trusts choose to dispose of property through a sale or long-term lease to a developer to clearly differentiate any affordable housing development from a public construction project to be in compliance with Chapter 30B.

Upton maintains an Affordable Housing Trust, whose purpose is to provide for the preservation and creation of affordable housing in the Town of Upton for the benefit of low- and moderate-income households. The Affordable Housing Trust is overseen by a five-member Board of Trustees which is responsible for seeking and facilitating affordable housing projects to benefit the Town. The Trust is tasked with meeting at least on a quarterly basis.

The trust can be used to fund various types of assistance, such as:

- Deferred payment loans
- Low or no interest amortizing loans
- Down payment and closing cost assistance for first-time homebuyers
- Credit enhancements and mortgage insurance guarantees
- Matching funds for municipalities that sponsor affordable housing projects
- Section 8 Project Based Vouchers

There are numerous ways to capitalize the fund. Some of these, though not possible in the current bylaws, would be possible if recommendations of this plan are enacted. The funding possibilities include the following:

- Payments in-lieu of units, if an inclusionary zoning bylaw was passed or if the option were otherwise added in the zoning bylaws or subdivision regulations;
- Negotiations with developers as part of impact fees;
- Private donations, special fundraisers, and grants; or
- Regular commitment of each year's CPA revenue towards affordable housing, e.g., 10% to 25%, in order to fund local affordable housing initiatives through the trust.

The Open Space Residential Development Bylaw might be revised to incorporate language that provides for fees in lieu of unit payments to the Affordable Housing Trust as an option.

1.4 PARTICIPATE IN REGIONAL COLLABORATIONS ADDRESSING AFFORDABLE HOUSING

While Upton is limited in its capacity as a single town, there may be multi-jurisdictional efforts that the community could participate in. Housing is an increasingly urgent issue; therefore, surrounding communities may be interested in pursuing collaborative solutions. Upton should consider options such as networking and sharing information with neighboring towns on housing issues or participating in the shared services of a professional housing specialist with other communities. While subsidies and various funding sources may be available, the ability to obtain the funding is limited by the town's capacity to prepare the necessary project proposals and funding requests.

Participating in a consortium is an opportunity for local governments that would not otherwise qualify for funding to join with other contiguous units of local government to directly participate in HUD's HOME Investment Partnerships Program. Whereas Upton would not be ineligible to participate and receive funding on its own, joining a housing consortium offers a more regional, collaborative approach to meeting affordable housing needs.

There are other joint efforts that the Town of Upton could participate in, such as regional housing programs or collaborations. Local examples of these include [Regional Housing Services Office](#), [Assabet Regional Housing Consortium](#), and [Metro North Regional Housing Services Office](#). A regional approach could offer Upton access to housing services at a much lower cost than the town would typically obtain. Upton could receive assistance with affordable housing monitoring, project development, technical assistance, and regional activities. Various regional housing entities have successfully contracted professional housing consultant services, conducted senior housing forums, held workshops on affordable housing topics, developed Emergency Rental Assistance programs in response to COVID-19, provided affordable housing information to residents, and more. CMRPC is launching its first Regional Housing Coordinator position. This is an opportunity Upton could consider participating in if the Town wants to share a planner with other communities in Central Massachusetts.

The Town could also partner with other communities on specific development projects. For example, seven outer Cape Cod towns with CPA funds partnered to create a housing community for adults with autism. This development, called Cape Cod Village, was a collaborative project to address a regional need.

The Town can also focus on strengthening existing partnerships with housing agencies. Entities such as HLC, MassHousing, and Mass Housing Partnership have very resourceful staff that are willing to meet with communities to discuss programs that are offered. Upton is encouraged to reach out to local and state housing agencies to determine the best ways that the town can improve the quality of life for its current and future residents.

1.5 ENCOURAGE UPTON STAFF, BOARD AND COMMITTEE MEMBERS, AND VOLUNTEERS TO PARTICIPATE IN EDUCATIONAL TRAININGS AND PROGRAMS RELATED TO AFFORDABLE HOUSING

Housing and land use in Massachusetts are constantly evolving fields, with new funding programs, regulations, best practices, zoning opportunities, and law and policy changes. Leadership in Upton should attempt to stay up to date with ways in which they can best serve their community. There are numerous ways to build knowledge and enhance capacity to plan for housing. Workshops, trainings, conferences, and general resources are offered by [Citizen Planner Training Collaborative \(CPTC\)](#), [Mass Housing Partnership \(MHP\)](#), [Massachusetts Chapter of the American Planning Association](#), and [Citizens' Housing and Planning Association \(CHAPA\)](#), to name a few. These are also unique opportunities to learn about success stories from other communities.

Town staff and all members, even the most veteran public servants, of the Planning Board, Board of Selectmen, ZBA, Community Preservation Committee, Economic Development Committee, Affordable Housing Trust, Upton Housing Authority, Council on Aging, and other boards are encouraged to participate annually in learning opportunities that are offered. Well-advised and prepared board and committee members are likely to conduct town business in a more effective and efficient manner. New members without significant housing experience would benefit substantially from formal training and orientation regarding their responsibilities.

1.6 CONTINUE TO COORDINATE THE TOWN'S AFFORDABLE HOUSING EFFORTS UNDER THE GUIDANCE OF THE TOWN PLANNER

Upton's Town Planner is responsible for a variety of professional, administrative, and technical duties to support the Building, Planning, Conservation, and Zoning Board of Appeals departments. In addition to these departments, the Town of Upton has a Housing Authority, Community Preservation Committee, and Affordable Housing Trust. While each body has a role with regard to housing – long-term planning, site-specific planning, permitting, advising, funding, affordability, etc. – the roles and responsibilities should be clearly defined and understood by all involved. This can be achieved through strategies such as regular roundtable discussions or joint meetings of boards, committees, and Town staff to provide clarity with regard to these numerous roles.

Greater coordination and provision of housing-related information can benefit developers to clarify who they are required to respond to and the flow through town channels. This will also lead to more efficient and thorough reviews required prior to the granting of variance, waivers, special permits, etc. To the greatest degree possible, the permitting process, both for comprehensive permits and any other housing projects, should be clearly established. In this way, defined and coordinated roles, responsibilities, and expectations for Town officials and developers will lead to improved partnerships and notable projects.

1.7 IDENTIFY AND LEVERAGE RESOURCES TO ADVANCE HOUSING PRODUCTION AND PROGRAMS

Implementation of the strategies in this Action Plan will require funding and technical assistance. There are a variety of avenues for funding and support that the Town can pursue to achieve its housing production goals. Organizations such as Massachusetts Housing Partnership (MHP), Citizens' Housing and Planning Association (CHAPA), MassHousing, Central Massachusetts Housing Alliance (CMHA), and the Executive Office of Housing and Livable Communities (HLC) offer resources and services including, but not limited to:

- Rental assistance
- Homelessness prevention
- Emergency shelter placement
- Home repair and maintenance for seniors
- Public education and advocacy
- Data and research
- Financing programs
- Homebuyer resources
- Trainings and events
- Model bylaws
- Funding opportunities

Planning assistance grants are made available each year through the **Executive Office of Energy and Environmental Affairs (EOEEA)**, offering municipalities in the Commonwealth technical assistance support to improve their land use practices, including provision of sufficient and diverse housing.

The **District Local Technical Assistance (DLTA) Program** is funded annually by the Legislature and the Governor through a state appropriation. CMRPC is one of the 13 regional planning agencies that administer the program. Towns are encouraged to apply for technical assistance funding to complete projects related to planning for housing, growth, Community Compact Cabinet activities, or support of regional efficiency. Additionally, CMRPC offers up to 24 hours of **Local Planning Assistance** to each of its member communities annually for a variety of technical support projects.

Community One Stop for Growth, the Commonwealth's single application portal and collaborative review process of community development grant programs, offers opportunities to support housing, transportation, infrastructure, economic development, and community development. Through this grant application process, programs including, but not limited to the **Housing Choice Grant Program, Massachusetts Downtown Initiative, Rural and Small Town Development Fund, and MassWorks Infrastructure Program** offer a range of funding opportunities. Communities can be considered by multiple grant programs simultaneously, have access to guidance and partnership from state agencies, and are able to receive referrals to additional funding opportunities. To apply, municipalities are encouraged to first submit an Expression of Interest to seek input on a number of potential projects.

The **Massachusetts Community Development Block Grant (CDBG) Program** is a federally funded, competitive grant program designed to help small cities and towns meet a range of community development needs in housing, infrastructure, revitalization, economic development, and public social services. Eligible CDBG projects related to housing include housing rehabilitation or development. Municipalities with a population of less than 50,000 that do not receive CDBG funds directly from the Department of Housing and Urban Development (HUD) are eligible for CDBG funding. Applications can be submitted by individual communities or regionally by multiple communities.

GOAL 2: MAKE ZONING AND PLANNING REFORMS

Housing production is contingent not only on actual development projects but on the planning and regulatory tools that enable localities to make well-informed decisions to strategically invest limited public and private resources. To most effectively and efficiently execute the strategies included in this Plan and meet production goals, greater flexibility will be needed in Upton's Zoning Bylaws. New provisions, in tandem with good planning practices, will be required to capture more affordable units, direct growth to the most appropriate locations, and expeditiously move development forward to completion. Targeted reform of Upton's Zoning Bylaws will promote and guide more diverse and appropriate residential development.

The Town of Upton should consider the following planning, regulatory, and zoning-related strategies to encourage the creation of additional affordable units. These actions can be considered as tools in a toolbox that the community will have available to promote new housing opportunities, each applied to particular circumstances and providing a powerful group of resources when available in combination.

Upton has enacted a number of progressive zoning bylaws that already promote a diversity of housing types including:

- Upton Center Business District
- Senior Housing Community Bylaw
- Large Lot Frontage Reduction Bylaw
- Planned Village Development Bylaw
- Open Space Residential Development Bylaw
- Townhouse and Garden Apartment Bylaw

2.1 PROMOTE GREATER DIVERSITY AND DENSITY OF PERMITTED HOUSING TYPES

Presently, Upton's housing stock is not meeting the needs of the whole community. Dominated by a housing stock of detached single-family homes on large lots valued at an average of over a half million dollars, Upton is not inclusive to all who desire to move to or remain living here. There are a variety of contributing factors that make the provision of diverse and affordable homes a challenge. Restrictive zoning, competitive market conditions, and availability of suitable land are barriers that the town faces. Using Massachusetts' Smart Growth and Smart Energy Toolkit as a guide, the Town is encouraged to take steps to promote greater diversity and density of permitted housing types.

Permitted zoning conditions can be broadened to diversify housing options, including increased types of allowed housing in additional areas, accompanied by design guidelines where appropriate. Housing prices remain very high in a competitive market, including costs related to new development, however there are opportunities to

accommodate developers creating affordable housing. Incentives and greater flexibility will result in public benefits associated with broader private development options and more opportunities for affordable units. Proposed changes to the current bylaws include:

- Allow *multi-family homes as-of-right in appropriate zoning districts*. Allowing the construction and occupancy of multi-family housing without the need for a special permit, variance, waiver, or other discretionary approval will encourage denser development. Areas such as Upton's Town Center are appropriate for multi-family housing. Other areas close to transportation routes, businesses, or services may also be appropriate for multi-family housing. These zoning districts can also require developers to adhere to design guidelines or standards developed by the town.
- Allow *single-family to multi-family conversions in appropriate zoning districts*. An option might be to facilitate single-family to multi-unit conversions for large residences built prior to 1990, such as allowing up to three (3) units by right, subject to a site plan and design review by the Planning Board and an affordable housing use restriction for at least one (1) unit and/or allowing up to four (4) units by special permit from the Planning Board, including site plan and design review, subject to an affordable housing use restriction for at least one (1) unit.
- Explore possible revisions to the Accessory Apartment Bylaw. Allowing greater flexibility with accessory apartments will result in more diversity of occupants. This type of housing can be appropriate for elderly parents, young adults, caretakers, and even renters. There are accessory units that likely exist in Upton but are not regulated. Plus, there are likely numerous homeowners that desire to construct this type of housing, but the restrictive zoning makes it difficult. Model bylaws exist that span the spectrum of oversight and regulation.
- Offer density bonuses for affordable housing. Density bonuses encourage the production of affordable housing by allowing developers to build more units than would otherwise be allowed on a site by the underlying zoning regulations, in exchange for a commitment to include a certain number of affordable units as part of the development. A policy would need to be structured on this, considering the amount of extra density that would be allowed, the location of the development, and any other variables.

As resources allow, likely over a longer time frame, the following may be explored for applicability and appropriateness to Upton.

- Consider a *Transfer of Development Rights (TDR) Bylaw*. TDR is a regulatory strategy that harnesses private market forces to accomplish two smart growth objectives. First, open space is permanently protected for water supply, agricultural, habitat, recreational, or other purposes via the transfer of some or all of the development that would otherwise have occurred in these sensitive places to more suitable

locations. Second, other locations, such as city and town centers or vacant and underutilized properties, become more vibrant and successful as the development potential from the protected resource areas is transferred to them. In essence, development rights are "transferred" from one district (the "sending district") to another (the "receiving district"). Communities using TDR are generally shifting development densities within the community to achieve both open space and economic goals without changing their overall development potential.

2.2 CONTINUE TO PROMOTE MIXED-USE DEVELOPMENT

Upton strives to provide adequate housing options while attracting and retaining businesses that support the local economy. Mixed-use development can help the town achieve both of these goals. Upton's Zoning Bylaw does not generally permit mixed-use development with the exception of the Upton Center Business District and the Planned Village Development that is only allowed in the Commercial and Industrial District by Special Permit from the Planning Board. The Route 140 corridor is an ideal location for new businesses but could also support housing units, resulting in more livable communities with an integration of land uses.

Apartment or condominium units on upper stories of small-scale commercial uses are a commonly seen land use in New England. A typical mixed-use scenario may have two- or three-story buildings with first floor commercial, such as professional offices or retail, and multiple units of rental housing on the upper floors. This type of development would increase the opportunity and supply for rental housing and units with fewer than 2 bedrooms that is deeply needed in town. Smaller sized units are adequate for the needs of young professionals, small families, or seniors. Plus, proximity to businesses and services can make such areas more desirable to these populations.

The Town can also consider including in its Comprehensive Permit Policy a set of design guidelines on mixed-use development and to process acceptable mixed-use development projects through the "friendly" 40B process as established under the state's Local Initiative Program (LIP).

2.3 DEVELOP AN INCLUSIONARY OR INCENTIVE ZONING BYLAW

Inclusionary zoning is a mandatory approach that requires developers to reserve a portion of the housing units in their project as affordable to low- and moderate-income households. Some flexibility can be incorporated into the mandatory provisions of an inclusionary zoning bylaw. For example, bylaws may only apply to certain types of development, such as new construction or substantial rehabilitation. Bylaws can include in-lieu-of payment or construction alternatives providing developers the option of paying a fee per unit, building affordable units off-site, or rehabilitating units elsewhere in place of constructing affordable units within the proposed development. Inclusionary zoning

bylaws can also contain a unit threshold (i.e. 10 or more units), identify income targets for the population to be served, and identify control periods and mechanisms (i.e. permanent deed restrictions).

Alternatively, *incentive zoning* is a voluntary approach that can waive certain regulatory requirements or provide additional density for developers in exchange for providing affordable housing. Incentives for developers may include density bonuses, expedited permitting, or cost offsets such as tax breaks, parking reductions, and fee reductions.

The Town of Upton is encouraged to explore the possibility of adopting a new bylaw, or amending an existing bylaw, that requires or incentivizes affordable housing as part of new developments. Aspects of inclusionary zoning have been incorporated into the Senior Housing Community Bylaw. Other zoning bylaws could be strengthened to incentivize development of affordable housing or equivalent compensation for developments over a certain number of units. There are numerous model bylaws and examples of municipalities that have adopted this type of zoning. The Town could craft the bylaw in a manner that reflects the local housing demands and market conditions.

An example of a small town that has implemented inclusionary zoning in order to address its affordable housing shortage is the town of Dennis, Massachusetts. The conditions specified in Dennis' Inclusionary Zoning Bylaws state that 25% of residential units in a development built on 2.5 acres or more must be affordable. Accommodations for the provision of affordable units include density increases, reduced minimum area requirements for affordable units, and reduced off-street parking requirements.

There is no single best approach to Inclusionary Zoning program design. Effective use of Inclusionary Zoning policies must consider local market conditions to determine if its use will result in increased affordable housing units and not deter future housing development. Conducting an economic feasibility analysis will help evaluate the market dynamics and constraints to ensure an Inclusionary Zoning policy produces the greatest number of affordable units while not burdening residential developers. If Upton decides to pursue inclusionary or incentive zoning, the Town should decide whether the program will be mandatory or voluntary, target a specific district or the entire municipality, incentives and cost offsets, and what alternatives, if any, will be offered to on-site units (such as payment in lieu of units).

Resources on Inclusionary Zoning can be accessed at Mass.gov, [CHAPA](https://CHAPA.org), [MA Housing Toolbox](https://MAHousingToolbox.org) and more.

2.4 UPDATE THE INVENTORY OF PROPERTIES POTENTIALLY SUITABLE FOR AFFORDABLE HOUSING DEVELOPMENT AS NEEDED AND PROMOTE THE INVENTORY TO AFFORDABLE HOUSING DEVELOPERS

To proactively create desired affordable housing, the Town should take all the necessary steps to prepare for new housing development. By regularly updating an inventory of Town-owned and privately-owned properties while assessing each parcel of land based on constraints and factors such as zoning restrictions, topography and soils, infrastructure, traffic patterns, existing residences and businesses, presence of wetlands or endangered species, wildlife corridors, historic resources, open space conservation restrictions, etc. the Town will position itself for successful future development. This inventory should be utilized when developers want to submit proposals to the town for residential developments, so the Town can determine and prioritize the properties that are most appropriate. Specific sites should be identified that could be utilized as "Friendly 40B" developments or would be most appropriate for providing housing with higher density. In a "Friendly" 40B approach, a developer works cooperatively with town boards to minimize density, improve setbacks, or blend architectural aesthetics with the neighborhood. Utilizing vacant, underutilized, and publicly-owned land can help reduce costs associated with developing affordable housing.

A number of areas, most with Town-owned land in them, that could potentially be suitable for the development of housing were discussed by residents at the March 16th public workshop. The benefits and drawbacks of each site plus the types of housing that would be most appropriate in each area were the foundations of the discussions in each breakout group at the event. These are areas in which the filing of comprehensive applications would also be encouraged. The study area sites, which are general areas but contain Town-owned land within them, include:

- **Town Center:** Upton's Town Center is a walkable neighborhood with a variety of home types, shops, offices, services, parks and open space, and civic uses. This area was identified as a Priority Development Area (PDA) in the 495/MetroWest Development Compact Plan. A few vacant buildings, such as the closed Holy Angels church, provide opportunities for new housing units. Additionally, several buildings have been removed and not replaced, offering space for new development. A 2019 visioning report on Upton Center identified key parcels and recommended diverse housing types such as apartments, mixed-use, and affordable units. Availability of municipal water and sewer makes this area more desirable for development.
- **Route 140 Corridor (southeast of Town Center):** Route 140 is the major route of travel that bisects the town. The southeast portion of this corridor in Upton is currently zoned as Commercial and Industrial (C&I) and has undeveloped land. This is the only zoning district in which Planned Village Developments are

permitted. This area was identified as a Priority Development Area (PDA) in the 495/MetroWest Development Compact Plan. This area features single-family homes, businesses and eateries, farmland, and open space. Since this area is one of the greatest opportunities for business development in Upton, mixed-use with a residential component would be the recommended use here. A few privately-owned properties with landowners interested in development may be available and appropriate for residential uses.

- **General Business Zoning Districts:** There are several areas of town zoned under General Business (GB). The GB district along Route 140 to the south of the Town Center and the GB district at the intersection of Route 140 and Hartford Ave could be suitable for residential development. In these districts, townhouses and garden apartments are permitted (by special permit). Given the existing businesses in these areas, mixed-use development would also be recommended.
- **Westboro Road:** The stretch of Westboro Road in the northern section of Upton may have opportunities for new housing. Proximity to I-90 and availability of Town-owned land are attractive elements of this part of town. Currently the area is zoned as Agricultural Residential (AR), limiting the types of housing that can be built. The area is scenic, featuring open space and Upton State Forest, as well as single-family homes. There is some Town-owned land in this area.
- **Pleasant Woods:** This 33-acre wooded parcel of land located off Warren Street is presently under conservation status and is owned by the Town of Upton under the control of the Conservation Commission. However, under *An Act Preserving Open Space in the Commonwealth* (Ch. 274 of the Acts of 2022, codified at M.G.L. c. 3, § 5A), also known as the Public Lands Preservation Act, there is an opportunity to change the use of the land in exchange for conserving another similar property in town. Initial discussions are in place to move forward with this action. Although the area is hilly with some granite outcroppings, the parcel is ideal for new housing as it is less than a mile from the Town Center and could connect to water/sewer lines.

2.5 COMPLY WITH THE REQUIREMENTS OF M.G.L. CH. 40A SECTION 3A

In January 2021, House No. 5250: *An Act Enabling Partnerships for Growth*, also known as the Economic Development Bill, was signed by Governor Baker. A range of housing provisions were included in the bill, notably an amendment to Chapter 40A that mandates 175 designated “MBTA Communities” to adopt zoning districts where multi-family zoning is permitted by-right. Upton is subject to this new law and if the town does not comply with the requirements of the law, it will not be eligible to apply for funds from the Housing Choice Initiative, Local Capital Projects Fund, or MassWorks Infrastructure Program.

The new Section 3A of M.G.L. Chapter 40A states:

An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

The Executive Office of Housing and Livable Communities (HLC) (formerly the Department of Housing and Community Development) developed [Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act](#) to clarify the law's language and describe how MBTA Communities can comply with the Section 3A requirements. Under these guidelines, Upton is considered an "Adjacent Small Town", therefore has different determinations for what constitutes reasonable size, minimum gross density, and location of the multi-family zoning district. Presently, the deadline to submit a district compliance application is December 31, 2025 for Upton and other Adjacent Small Town communities.

There are numerous resources available to help the Town establish a zoning district. Technical assistance is available through [Community One Stop for Growth](#), [Energy and Environmental Affairs Land Use Grants](#), Massachusetts Housing Partnership, and CMRPC's District Local Technical Assistance funding. A [3A-TA Clearinghouse](#) also offers resources related to the new zoning requirement.

2.6 PREPARE DESIGN GUIDELINES OR STANDARDS TO ACCOMPANY NEW MULTI-FAMILY HOUSING DEVELOPMENTS

Design guidelines and standards are mechanisms to ensure that new development complements a community's character and meets its goals and needs. In a community such as Upton that has many areas consisting of low-density, single-family dwellings, residents often worry that dense, multi-family housing developments will alter the small-town feeling. To give residents more input on the design of new developments, design guidelines (optional but encouraged design elements) or design standards (required design elements) can be prepared and included in the Town Zoning Bylaws which inform the proposals of multi-family housing proposals. Established review criteria and design guidelines provide information to prospective developers regarding the scale, type, design, tenure, and municipal benefits related to multi-family development that the Town of Upton prefers.

Design guidelines are a document outlining various aspects of residential developments that are encouraged and discouraged. These aspects can include, but are not limited to, style and materials, bulk masking and scale, sidewalks and pathways, driveways and parking, landscaping, utility and waste storage areas, lighting, and drainage and stormwater.

There are many examples of design guidelines or standards for areas permitting multi-family housing in other municipalities that the Town of Upton can refer to. Examples of communities in the Commonwealth that have incorporated design guidelines into their multi-family zoning include the [City of Marlborough's Multifamily Development Review Criteria and Design Guidelines](#), the [Town of Oxford's Housing Opportunity Overlay Zone Design Guidelines Handbook](#), or the [Town of Northborough's Design Guidelines for Two-Family Dwellings \(Duplexes\)](#). CMRPC is available to help with compiling such a document.

2.7 EXPLORE REGULATIONS FOR SHORT-TERM RENTAL HOUSING

The short-term rental industry has soared in the past decade with help from online platforms such as Airbnb and Vrbo. Property owners can rent out their units for short-term accommodations, for typically less than 30 days, giving travelers alternatives to hotels, motels, bed and breakfasts, or other traditional lodging establishments. The increasing popularity of the short-term rental industry has both positive and negative effects for communities, indicating a need to implement local regulations. Excessive noise, partying, trash issues, septic capacity, and parking conflicts caused by short-term rental visitors can impact the character of a neighborhood. The conversion of long-term housing into short-term housing is concerning for communities that are already struggling with the supply of rental and affordable housing units. Meanwhile, the availability of short-term rental housing can help increase local tourism and boost businesses. Plus, registered short-term rental units paying room occupancy excise taxes, community impact fees, or other fees can bring additional revenue to the host community.

Upton is highly encouraged to explore ways to regulate short-term rental housing within town. The Town can choose to pursue amendments to the General Bylaws or Zoning Bylaws. Local regulations can set standards for inspections and safety protocols, community impact fee, limits to the number of short-term rentals, occupancy caps, length of stay, parking requirements, location, proximity of the owner or manager, and more. Some communities have prepared short-term rental guides clearly describing the application process, fees, inspections, and other information that applicants should be aware of. A page on the town website dedicated to frequently asked questions can help provide guidance on this topic as well. Staff at CMRPC are working with a handful of communities in Central Massachusetts to study best practices for regulating short-term rentals and preparing model bylaws. Upton is encouraged to collaborate with CMRPC and utilize their resources on this topic.

GOAL 3: PARTNER WITH DEVELOPERS TO PRODUCE NEW AFFORDABLE HOUSING

The planning, housing, and land use entities of the Town of Upton should work cooperatively with developers of affordable housing to offer a greater variety of housing choices for area residents. The Town should welcome proposed projects of such scope and attractiveness that comply with development policies and meet the town's priority housing needs. The Town, in turn, can be an active partner throughout the development process through the following key activities.

3.1 PROVIDE SUITABLE PUBLIC PROPERTY FOR DEVELOPMENT

The contribution or "bargain sale" of land owned by the Town or other public entities but not essential for government purposes is a component of the stated production goals. This Plan includes a strategy to review current holdings and determine what, if any, properties (land or buildings) might be suitable for some amount of affordable housing. Final determination of the use of these parcels for affordable housing is subject to a more thorough feasibility analysis of site conditions; and Town Meeting approval is required for the conveyance of Town-owned properties. The Town should then prepare and issue a Request for Proposals (RFP) for developers that includes project guidelines (e.g., approximate size, density, ownership vs. rental, target market/income mix, level of affordability, design issues, community preference criteria, siting, financing available, ownership and management, other stipulations) and selection criteria. It will also be important for the Town to meet with the State's Executive Office of Housing and Livable Communities (HLC) at this juncture or even before to discuss the project and obtain their early input into project financing options.

3.2 OFFER PREDEVELOPMENT FUNDING

As mentioned above, it is useful to do some due diligence to ensure that the development will be feasible, particularly given site conditions. The Affordable Housing Trust could request CPA funding to undertake important environmental testing, early design work, site surveys, financial feasibility analyses, or other predevelopment activities. Occasionally, title issues need to be resolved as well. Many communities use CPA funding to support this type of predevelopment work as input into the RFP process mentioned above. Typically, the more information developers have in responding to RFP's, the better the proposals.

3.3 SUPPORT PERMITTING WITH ADVOCACY

Projects may require densities or other regulatory relief beyond what is allowed under the existing Zoning Bylaw, and the selected developer may be able to obtain this relief through normal channels, if community support is likely, or use the “Friendly 40B” comprehensive permit process through HLC’s Local Initiative Program (LIP), for example. While the designated developer is responsible for obtaining regulatory approvals, the Community Preservation Committee and Affordable Housing Trust can be extremely helpful in lending local advocacy support through the regulatory approval process.

3.4 PROVIDE SUPPORT AND GAP FINANCING TO LEVERAGE PROJECT FINANCING

The designated developer will ultimately be responsible for obtaining project financing, including both public and private sources. Support from the Board of Selectmen and local housing advocates will be essential, and letters of support from them both will be critical in applying for subsidies where needed. Local funding that demonstrates the community’s continued investment in the project sends a strong signal to funders, making the project more competitive. Such funding, typically CPA or Affordable Housing Trust money in the case of small towns, often provides the last “gap filler” to make projects feasible and the key leverage to secure necessary financing. It should be noted that most competitive state funding programs strongly urge that regulatory approvals be in place before funding applications are submitted. The developer and town representatives should also meet with HLC to discuss progress and once again obtain input on development options and financing prior to applying for funding.

Another potential resource that the town might access is HOME funding. Because Upton is not an entitlement community, meaning that it is not automatically entitled to receive HOME funding based on HUD’s funding formula, the Town would need to join a consortium of other smaller towns and cities to receive annual funding or apply directly to the state on a project-by-project basis. HUD offers guidance on how to join or form a consortium.

The Town should work with building owners to seek out funding from the newly established Massachusetts Community Climate Bank. These funds are dedicated to incorporating clean energy elements into affordable housing units, such as heat pumps and solar panels.

In addition to serving proactively in these key activities, the Town can promote certain housing types and smart growth development through zoning as well as active interaction with property owners and developers to identify development opportunities such as the conversion of existing housing into long-term affordability, cluster development with affordable, adaptive reuse, mixed-use development, and new scattered infill sites as well.

3.5 ADVOCATE FOR A HIGHER INCLUSION OF ACCESSIBLE UNITS IN PROPOSED HOUSING DEVELOPMENTS

Adequate housing options should exist to accommodate people with disabilities and seniors who have limited mobility or special needs, particularly those that are low-income. While there may be accessible units that are sold at market rate prices, oftentimes people with disabilities or those with limited mobility cannot afford to live in them. It is crucial that this population is advocated for and that there is enough availability of affordable units that are also accessible. Upton Town staff, boards, committees, and the Council on Aging should advocate for additional accessible units that are deed restricted as affordable when developers submit proposals.

3.6 CONTINUE TO UTILIZE COMMUNITY PRESERVATION ACT FUNDS TO FURTHER AFFORDABLE HOUSING GOALS

Upton Town Meeting voted to adopt the Community Preservation Act on May 5, 2003. After an exemption of the first \$100,000 of property value, a surcharge of 3% is included for residential properties. Qualifying low-income households are exempt from paying. The Community Preservation Committee, consisting of seven volunteers from the community, is responsible for evaluating requests for CPA funds for open space, historic preservation, recreation, and community housing purposes.

There are many ways that the Town can continue to utilize CPA funds to enhance affordable housing efforts in Upton, including the following opportunities:

- Acquire land for the purpose of creating affordable housing
- Adaptive re-use of existing buildings
- Purchase of existing market-rate homes and conversion to affordable homes to create permanent deed-restricted affordable rental housing
- Buy-down the cost of homes to create affordable mortgage costs for first-time homebuyers with qualifying incomes
- Support the development of affordable housing on publicly owned land
- Support the construction of new housing in existing neighborhoods
- Support the costs of improvements necessary to develop accessory dwelling units, with the provision that the units be permanently deed-restricted to preserve affordability

- Finance predevelopment activities (soft costs) to promote better project planning
- Provide financial support to help cover down-payment and closing costs for first-time homebuyers
- Offer direct assistance in the form of rental vouchers that subsidize the difference between market rents and what a household can afford to pay
- Fund a professional to support the implementation of local affordable housing plans

3.7 EXPLORE SMALL-SCALE INFILL DEVELOPMENT OPTIONS ON NONCONFORMING LOTS WITHIN DESIGNATED AREAS

Many communities across the United States have over-built their commercial, and even residential, spaces in response to outdated regulations and/or consumer preferences. Infill development is a strategy that allows a community to capitalize on potential non-productive space to increase housing options. An infill development option allows properties with excessive setbacks (typically to accommodate overly prescriptive parking or landscaping regulations) to develop the portion of their parcel closest to the roadway for narrowly defined purposes. It can increase the overall housing stock, improve the experience for pedestrians, and knit together otherwise disconnected parts of the streetscape.

GOAL 4: PRESERVE EXISTING HOUSING

4.1 MONITOR AND MAINTAIN THE SUBSIDIZED HOUSING INVENTORY (SHI)

The Executive Office of Housing and Livable Communities (HLC) requires regular reporting of each community's list of subsidized housing units. While many units are developed with affordable housing deed restrictions in perpetuity, other affordable housing units are removed from the SHI as the term of their affordability lapses. Close attention must be paid to the details of the deed restrictions and the specific timing for each circumstance. When, as in the case of the units in Samreen Villa, an affordable unit becomes available, the provisions of the deed rider must be monitored and enforced to maintain the affordability of the unit.

A database could be established with notifications to take action prior to the potential expiration of covenants. Oftentimes resources, legal or financial, are necessary to preserve or roll over deed restrictions. Presently, all deed-restricted affordable units on Upton's SHI maintain affordability restrictions in perpetuity, other than the 89 rental units of Millhaus at Upton on Main Street which are set to expire in 2032. Loss of these units would be an incredible setback to the town's affordable housing inventory.

4.2 EXPLORE OPPORTUNITIES FOR ENHANCING THE AFFORDABILITY OF EXISTING HOMES FOR ALL UPTON RESIDENTS

The Town is encouraged to explore creative ways to both preserve the existing housing stock and enhance the affordability of Upton. This can be achieved through programs such as first-time homebuyer financing and buy-down programs utilizing CPA funds. There may be opportunities to purchase existing homes and put a deed rider on the property, requiring the owner to resell it as an affordable unit to another income-eligible homebuyer.

The town may have rental housing units managed by local property owners that have not been deed restricted and registered to the Subsidized Housing Inventory. The Town should explore opportunities that would encourage and incentivize owners of existing multi-family housing to deed restrict their properties as affordable to low- to moderate-income households. Incentives can be offered in exchange for the cooperation of local property owners in restricting their rental units as affordable. Possible incentives include property tax relief or housing rehabilitation. Funds from CPA or the Affordable Housing Trust could be used to support this type of partnership. This type of endeavor requires further exploration, and housing professionals at agencies such as HLC or Mass Housing Partnership are available to offer advice and insight.

4.3 HELP QUALIFYING RESIDENTS ACCESS HOUSING ASSISTANCE

A variety of programs, resources, and financial assistance are available to homeowners, homebuyers, and special populations. The Town is encouraged to help connect residents with existing resources. A list of resources and contact information should be provided on a webpage on the Town website, including first-time homebuyer classes, down payment assistance programs, counseling programs, foreclosure prevention resources, or programs targeted to special populations such as the elderly and veterans. Informational pamphlets or guest speakers can be hosted through the Council on Aging.

Resources are available to assist qualifying homeowners with repairs and improvements that either increase the value of their home or reduce the cost of ownership. Energy efficient appliances and other energy saving programs are available as well.

The Town should explore the feasibility of establishing its own housing rehabilitation program in older neighborhoods targeted to those on fixed incomes. Even tax abatement programs for elderly, veteran, or disabled residents make the cost of homeownership more affordable.

Goals and Strategies	Short Term (0-12 months)	Medium Term (2-3 years)	Long Term (3-5 years)	Ongoing	Responsible Parties
Goal 1: Build local capacity to promote affordable housing					
1.1 Conduct ongoing community outreach				✓	LUIS, AHT, EDC
1.2 Secure professional support				✓	LUIS, TM, AHT, PB
1.3 Continue to capitalize the Upton Affordable Housing Trust				✓	LUIS, AHT, BOS, TM
1.4 Participate in regional collaboration				✓	BOS, LUIS, TM
1.5 Encourage Upton staff, board and committee members, and volunteers to participate in educational trainings and programs related to affordable housing				✓	LUIS, TM, PB, CPC, ZBA, BOS, AHT, EDC
1.6 Continue to coordinate the Town's affordable housing efforts under the guidance of the Town Planner	✓				LUIS, TM, PB, CPC, ZBA, BOS, AHT
1.7 Identify and leverage resources to advance housing production and programs				✓	TM, AHT, CPC
Goal 2: Make zoning and planning reforms					
2.1 Promote greater diversity and density of permitted housing types	✓	✓			LUIS, PB, EDC, AHT
2.2 Continue to promote mixed-use development	✓	✓			LUIS, PB, EDC
2.3 Develop an Inclusionary or Incentive Zoning bylaw	✓	✓			LUIS, PB, AHT
2.4 Update the inventory of properties potentially suitable for affordable housing development as needed and promote the inventory to affordable housing developers				✓	CPC, AHT, LUIS

Goals and Strategies	Short Term (0-12 months)	Medium Term (2-3 years)	Long Term (3-5 years)	Ongoing	Responsible Parties
2.5 Comply with the requirements of M.G.L. Ch. 40A Section 3A	✓	✓			TM, PB, CMRPC
2.6 Prepare design guidelines or standards to accompany new multi-family housing developments	✓	✓			TM, PB, BOS, AHT
2.7 Explore regulations for short-term rental housing	✓	✓			TM, PB, CMRPC
Goal 3: Partner with developers to produce new affordable housing					
3.1 Provide suitable public property for development		✓	✓		LUIS, BOS, CPC, AHT, TM
3.2 Offer predevelopment funding		✓	✓		AHT, LUIS, BOS, TM, CPC
3.3 Support permitting with advocacy				✓	LUIS, AHT, CPC
3.4 Provide support and gap financing to leverage project financing		✓	✓		LUIS, PB, AHT, CPC, BOS, TM, EDC
3.5 Advocate for a higher inclusion of accessible units in proposed housing developments				✓	LUIS, AHT, PB, COA
3.6 Continue to utilize Community Preservation Act funds to further affordable housing goals				✓	CPC
3.7 Explore small-scale infill development options on nonconforming lots within designated areas		✓	✓		TM, PB, ZBA

Goals and Strategies	Short Term (0-12 months)	Medium Term (2-3 years)	Long Term (3-5 years)	Ongoing	Responsible Parties
Goal 4: Preserve Existing Housing for All Upton Residents					
4.1 Monitor and maintain the Subsidized Housing Inventory (SHI)				✓	LUIS, TM, BOS
4.2 Explore opportunities for enhancing the affordability of existing homes for all Upton residents		✓	✓		CPC, AHT, BOS, TM, LUIS
4.3 Help qualifying residents access housing assistance			✓	✓	LUIS, TM, BOS

Responsible Parties Key:

LUIS = Department of Land Use and Inspectional Services

AHT = Affordable Housing Trust

TM = Town Manager's office

BOS = Board of Selectmen

PB = Planning Board

ZBA = Zoning Board of Appeals

CPC = Community Preservation Committee

EDC = Economic Development Committee

COA = Council on Aging

CMRPC = Central Massachusetts Regional Planning Commission