

HOUSE No. 2339

By Mr. Kollios of Millbury, petition of Paul Kollios and another relative to low and moderate income housing units in cities and towns. Housing and Urban Development.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Three.

AN ACT RELATIVE TO LOW AND MODERATE INCOME HOUSING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 20 of Chapter 40B of the General Laws is hereby
2 amended by deleting the second sentence of the fourth paragraph
3 and inserting in its place the following sentence: — Requirements
4 or regulations shall be consistent with local needs when imposed by
5 a Zoning Board of Appeals after comprehensive hearing in a city or
6 town where (1) the percentage of the existing housing units in the
7 city or town which are low or moderate income housing units is in
8 excess of the percentage of the area population determined to be
9 below poverty level, said determination to be calculated by divid-
10 ing the percentage of the population determined to be below the
11 poverty level according to the most recent national census in the
12 subject city or town by the average percentage of the population
13 determined to be below the poverty level according to the most
14 recent national census in the cities and towns abutting the subject
15 city or town or on sites comprising one and one half per cent or
16 more of the total land area zoned for residential, commercial or
17 industrial use or (2) the application before the board would result
18 in the commencement of construction of such housing on sites
19 comprising more than three tenths of one per cent of such land area
20 or ten acres, whichever is larger, in any one calendar year; provided
21 however, that land area owned by the United States, the common-
22 wealth or any political subdivision thereof, the metropolitan dis-
23 trict commission or any public authority shall be excluded from the
24 total land area referred to above when making such determination
25 of consistency with local needs.

