

Assessment of Zoning & Permitting for Housing

Greenfield Area Complete Neighborhoods:
Deerfield, Erving, Greenfield, Montague, Orange, & Whately



January 2025

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Prepared by:



Jessica Atwood, Planning Director
Andrea Donlon, Senior Land Use & Natural Resources Planner
Megan Rhodes, AICP, Livability Program Manager



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Introduction

In January 2021, Massachusetts enacted a new law, an Act Enabling Partnerships for Growth, which authorized \$50 million over five years for “financial assistance in the form of grants or loans to accelerate and support the creation of low-income and moderate-income housing in close proximity to transit nodes.” Massachusetts Housing Partnership (MHP) has managed this grant program, and in 2022, a partnership of six Franklin County communities were selected to receive a “Complete Neighborhoods” grant together. Those communities are Deerfield, Erving, Greenfield, Montague, Orange, and Whately, along with the Franklin Regional Council of Governments (FRCOG). Each municipality worked on a specific project aimed at reusing vacant or underutilized properties as housing located near public transit.

FRCOG has produced this document as a companion to the work of each of the six Greenfield Area Complete Neighborhoods communities. In this assessment, FRCOG offers several zoning and non-zoning tools and practices that may make it easier to develop more diverse housing for small, rural communities with housing markets typically found in Franklin County. Additionally, FRCOG examined the zoning bylaws of each of the six partner communities and provided a set of recommendations for each municipality to consider. Lastly, FRCOG examined the building permitting process in each community and developed an outline of the process and a set of observations geared at making housing development easier.

Earlier in 2024, FRCOG completed a Franklin County Regional Housing Plan that included a demographic and market analysis for Franklin County.¹ The regional plan work included a *dashboard*



Figure 1. The Greenfield Area Complete Neighborhood communities shown within the context of Franklin County.

¹ Franklin County Regional Housing Plan, 2024. Online at <https://frcog.org/publications/franklin-county-regional-housing-plan-2024/>

online at <https://communityscale.github.io/FRCOG/#Overview>. As stated in the regional housing plan, the population of Franklin County has been slowly declining, but the number of households has been increasing. This discrepancy is the result of the decline in household size. Franklin County's population is aging, and the accessibility, amenities, price points, and housing types preferred by the current population are not being met by the market. There is a net housing shortage of 3,020 units that are affordable in Franklin County. The greatest housing needs are in the extremely low-income and low-income price brackets.

The recommendations included in this Complete Neighborhoods analysis are consistent with the following goals of the Franklin County Regional Housing Plan:

- Diversify the housing stock to accommodate a range of household types.
- Reverse projected population loss.
- Diversify Franklin County's population in terms of age, race, and socio-economic status.
- Ensure that people who work in Franklin County can afford to live near their jobs.
- Support a resilient workforce that meets the needs of employers as well as ensures access to the goods and services required of residents now and in the future.
- Create housing of different types near existing areas of development.
- Protect the farmland and forests that make Franklin County a special, unique community.

Zoning Tools

As communities respond to the need for more housing, there are a variety of zoning options for towns to consider in order to enable the creation of more housing. The following are common zoning strategies to creating and diversifying housing within a local community. These strategies were all chosen as options that would fit within all or parts of communities in Franklin County.

Add housing to zoning bylaw's purpose statement

Every zoning bylaw or ordinance in Franklin County has a purpose statement at the beginning of the bylaw (Greenfield is the only Franklin County municipality with city ordinances – this document will refer to bylaws and when used generically, will include ordinances). Purpose statements generally clarify the intent of the bylaw and usually contain a list of purposes valued in the town. Only five of the zoning bylaws for 26 municipalities in Franklin County include the word “housing” in their purpose statement. A phrase such as Greenfield’s “to encourage housing for persons of all income levels” or Montague’s “to recognize the need for housing for persons of all income levels” does not have regulatory teeth, but it does provide the reader a summary of the *intention* of the bylaws to provide for a variety of housing. Adding housing to the purpose statement would set an intention to include residential purposes as one of the values of the community.

Comply with Affordable Homes Act statewide changes allowing ADUs

Most municipalities address the concept of accessory dwelling units (ADUs) in their zoning bylaws. However, there has been a large difference in what is allowed to be built across the different communities in the County. On August 6, 2024, Governor Maura Healey signed the Affordable Homes Act into law, leveling the playing field statewide with regard to ADUs. Section 8 of the Affordable Homes Act amends the Massachusetts Zoning Act (M.G.L. Ch. 40A) to allow Accessory Dwelling Units (ADUs) up to 900 square feet to be built by right in single-family zoning districts.

On December 6, 2024, the Executive Office of Housing and Livable Communities (EOHLC) issued a set of draft ADU regulations intended to provide clarity on the administration of the new ADU law. EOHLC intends to issue final regulations by the effective date of the ADU law, February 2, 2025. EOHLC also intends to provide model bylaws for towns and cities to use. As of the writing of this report, many municipalities are preparing to amend their zoning bylaws to comply with state laws.

Reduce minimum lot size and frontage requirements

The cost of land can greatly add to the expense of building new housing. Areas served by municipal water and sewer can support housing development in village or town centers with smaller lots. Areas that do not have public sewer and water do require larger lots to accommodate private septic systems and wells. However, many towns require a minimum lot size that is much larger than needed, even those that must accommodate private septic and water infrastructure. Similarly, minimum lot frontage requirements are often excessively large in many towns. Minimum lot frontage refers to the smallest allowable width of a property line along a public road. Excessive lot sizes and frontage requirements contribute to a high base price of a home and can also lead to sprawling development patterns. Towns should examine whether their minimum lot size and frontage standards are necessary and whether they can be reduced, or reduced in certain areas of town where denser housing is desirable and soil types allow. The following charts show the minimum lot size and frontage requirements by town.

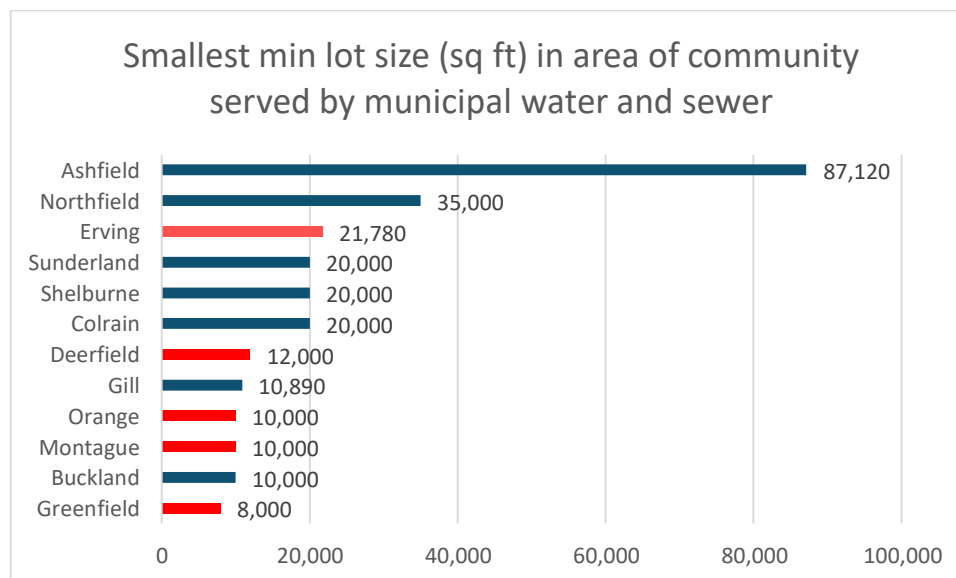


Figure 2. Smallest minimum lot sizes allowed in residential zoning districts with municipal water and sewer. Greenfield Area Complete Neighborhoods communities are shown in red.

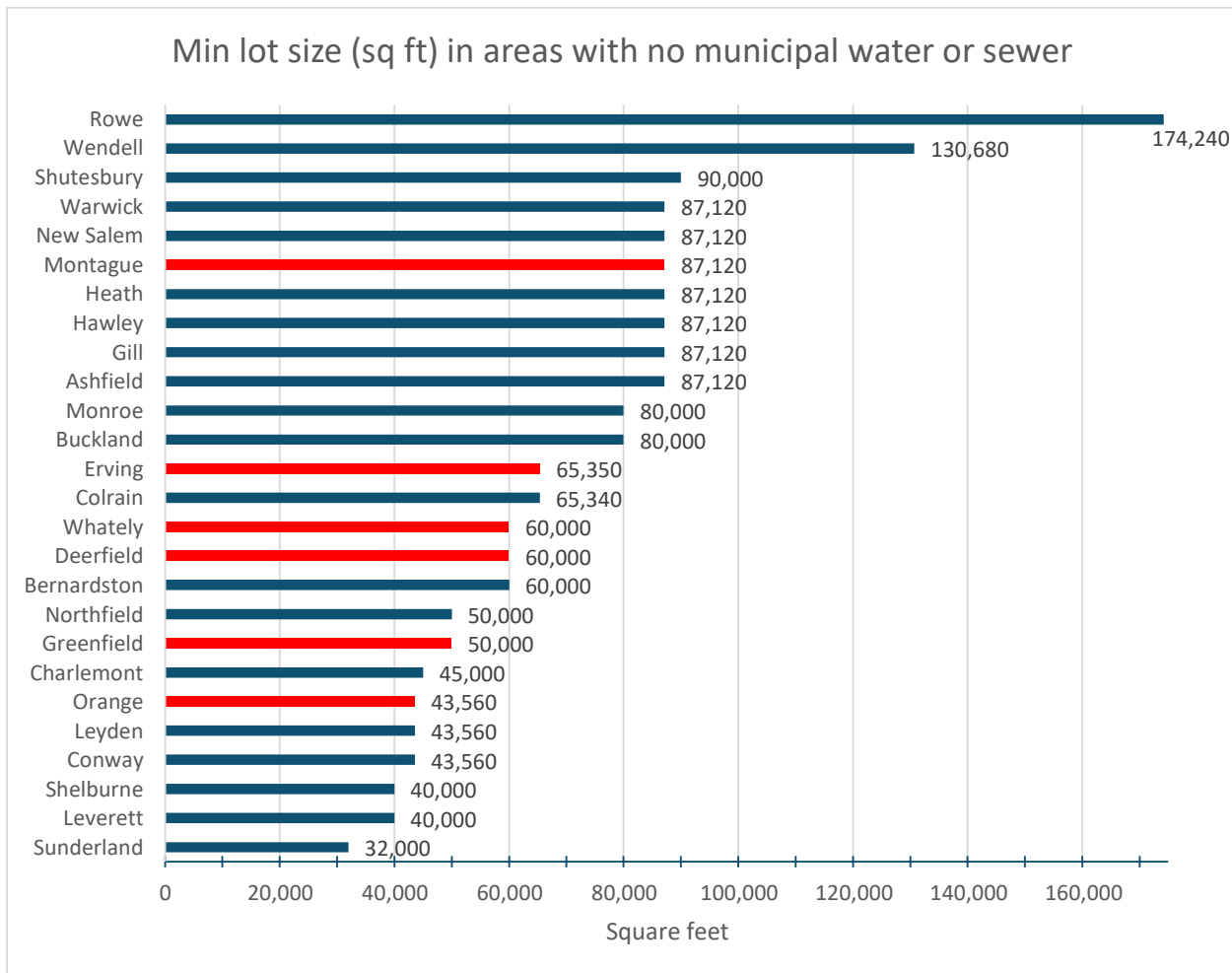


Figure 3. Smallest minimum lot sizes allowed in residential zoning districts with no municipal water and sewer. Greenfield Area Complete Neighborhoods communities are shown in red.

Match traditional development patterns

There are many village centers throughout Franklin County that are characterized by a mix of residential and commercial uses with a dense development pattern. These villages are often sought-after locations for residents to live, due to the amenities, walkable conditions, and neighborhood feel. Many of these village centers would not be allowed today due to current zoning restrictions. Zoning in place today would not allow the same density, mix of uses, building height, or housing types even within those same locations. Towns with village/town centers should examine their current zoning districts that encompass the existing village centers to better understand what is allowed to be built today. If there was a vacant parcel, could a building that matches the historical downtown character be allowed to be developed?

In the image below, the average existing density of the Ervingside neighborhood in the town of Erving is 3-5 units per acre. However, this area is zoned as Village Residential, which has a minimum lot size of 0.5 acre and allows only 2 units per acre. This means that the existing development pattern could not be replicated if new units were to be built today in that area without variances.

Similarly, on the south side of the river in the Millers Falls village in the town of Montague, the existing average density is 5-10 units. This matches the zoning of the Neighborhood Business district which was a minimum lot frontage of 10,000 square feet and allows 5 units per acre.

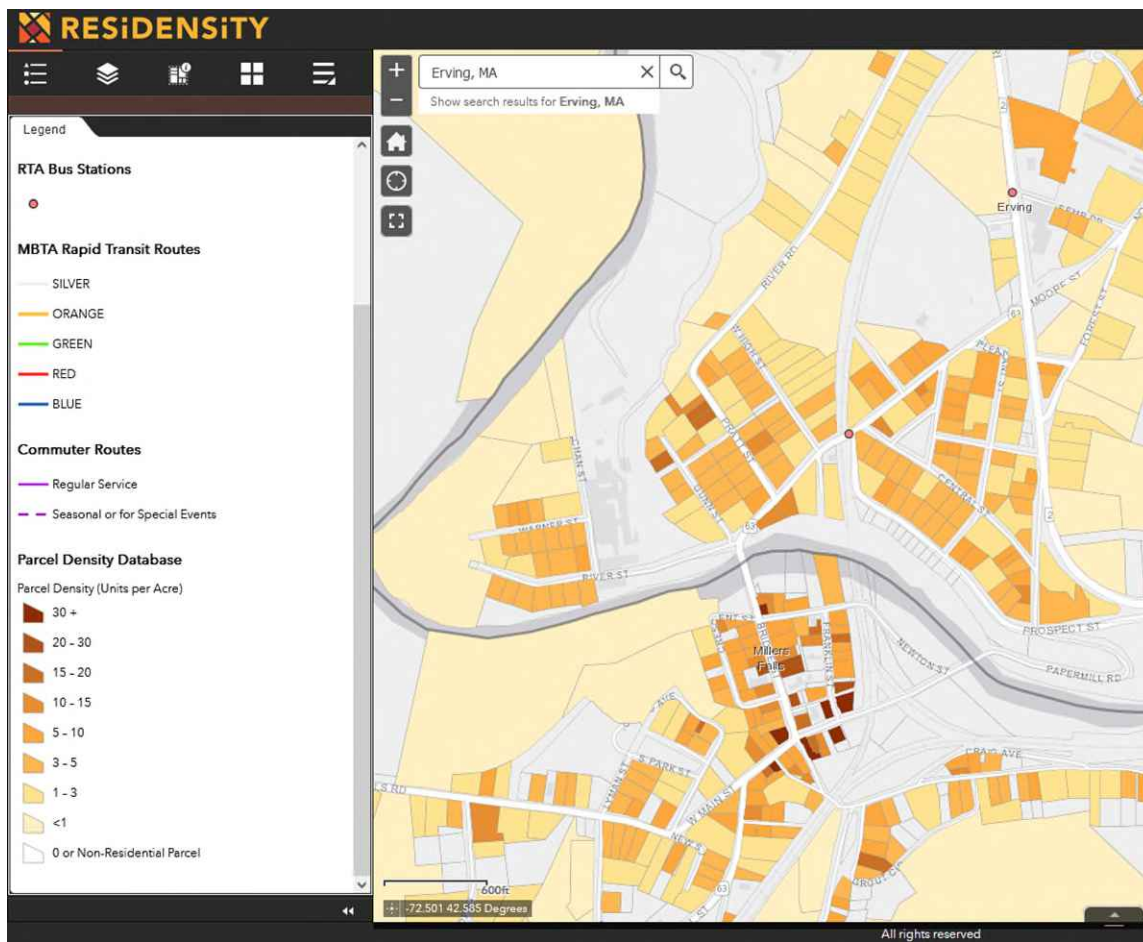


Figure 4. MHP's Residency Tool allows users to look at existing development patterns, such as this area covering parts of Erving and Montague. The darker parcels have a higher density.

Allow mixed use development

Mixed-use buildings with businesses or offices on the ground floor and residential units on the top floor are common in downtown areas and village centers. Many towns have zoning bylaws that do not make clear that this is an allowed use for new or redeveloped buildings.



Figure 5. Mixed use commercial and apartments can be a desirable feature within town centers.

Allow housing types other than single-family

Much of Franklin County's zoning is geared towards promoting single-family (or single-unit) homes on large lots. All other housing types (duplexes, multi-family, townhouses, etc.) are either tightly regulated through special permit processes or not allowed at all. To allow older adults to downsize to smaller units and young adults to stay in the community, as well as attracting new people to the region, a more diverse housing stock is needed. Towns should examine their zoning bylaws to determine ways that they can diversify their housing in ways that are appropriate for their community.

Duplexes/2-unit dwellings

Duplexes are consistent with rural, suburban, and rural development patterns found in Franklin County. Allowing duplexes by right in all residential zoning districts would not impact the overall feel and character of existing neighborhoods.



Figure 6. Duplexes like this one in Holyoke, MA are not allowed in some Franklin County towns.

Triplexes/3-unit dwellings and fourplexes/quadruplexes/4-unit dwellings

In neighborhoods where denser housing is desired or already in existence, a community can amend its zoning bylaw to allow triplexes and quadruplexes by right. Smaller multi-family dwellings are often called "Missing Middle Housing" because, though they were common in the early part of the 20th century, zoning restrictions in the last 40-50 years have made them

difficult to build. These structures sit in the middle of a spectrum between detached single-family homes and larger apartment buildings. Allowing triplex and fourplex housing by right could increase the number of homes built per acre, with minimal change to the character and feel of residential areas. They often offer a more affordable living option for first-time homebuyers, renters, seniors, and families. Neighborhoods with 3- and 4-unit houses can support local retail, walkable neighborhoods, and public transportation options.



Figure 7. Some zoning districts can allow smaller multi-family buildings like this one in Orange.

Townhouses or Townhomes

A townhouse is a house that is attached to a similar house by a shared wall and with separate entrances. Each townhouse is often individually owned and can be part of a homeowner's association to manage any common areas. Rowhouses and brownstones familiar in neighborhoods of Brooklyn, NY or Baltimore, MD are townhomes, and they can be scaled to fit with smaller communities also.



Figure 8. Townhouses like these in the Netherlands are popular and can be built in rural areas, but zoning bylaws would need to be modified in order to allow housing like this in most towns in Franklin County.

Townhouses can be built as a multifamily unit in zoning districts that allow for multi-family buildings. For homes to be owned separately without a condominium option, zoning would need to be modified to allow for zero side setbacks on lots.

Encourage manufactured housing

A majority of Franklin County towns actively prohibit “mobile homes” in their zoning bylaws. Many of these bylaws were put into place to regulate the older mobile homes that were constructed prior to 1976, which is when the U.S. Department of Housing and Urban Development (HUD) passed regulations known as the “HUD Code.” The passage of the HUD Code established baseline federal standards for design and construction, legitimizing these

units as permanent homes. Many local zoning bylaws have a definition of “mobile home” that defines a construction type no longer in use and is not applicable to manufactured HUD homes. Manufactured HUD homes today must have an I-beam permanently attached to a concrete slab to be considered a dwelling in Massachusetts and are not “mobile.” These homes are now known as manufactured housing (and are different from modular housing). Manufactured housing is often more affordable per square foot compared to site-built units, can be energy efficient, and look like traditionally built homes.

Manufactured homes are a more affordable home ownership option because they are built on an assembly line with a scale of production that enables lower prices and a more efficient construction process. In 2021, the average price of a manufactured home in the United States was \$108,100, compared to \$365,900 for a site-built home, excluding the estimated cost of land.

Though not a zoning consideration, many residents think an important consideration for manufactured housing as an affordable homeownership option is whether these homes offer the same potential for appreciation over time as site-built homes. Appreciation is one of the important financial benefits of owning a home (but at the same time, this can make it difficult for first-time home buyers to be able to buy a home). Research on this issue has consistently found that when manufactured homes are owned along with the land upon which they are sited, rates of appreciation are similar, but slightly lower, to those of site-built homes. As with site-built homes, the rate of appreciation is found to vary with the initial quality of the home, the degree of maintenance spending, and especially the location of the home. In cases where manufactured homes are not on land owned by the homeowner, the homes are generally found to depreciate over time and so do not offer opportunities for appreciation.²

Zoning bylaws should be updated to regulate manufactured homes as any other single-family home. The following recommended change to zoning bylaws would allow that to take place: 1) delete/remove the definition of “mobile home” (and “mobile home park” if relevant) from the zoning bylaws, and 2) remove the listing of “mobile home” in the Table of Uses section of the zoning bylaws. Existing mobile home parks have their own restrictions on the kinds of structures allowed, and any new grouping of manufactured homes would be considered a subdivision and would fall under subdivision regulations and the municipality’s zoning bylaw.

² Comparison of the Costs of Manufactured and Site-Built Housing. Joint Center for Housing Studies of Harvard University. Christopher Herbert, Chadwick Reed, James Shen. July, 2023. Available online at https://www.jchs.harvard.edu/sites/default/files/research/files/harvard_jchs_pew_report_1_updated_0.pdf.



Figure 9. A manufactured home. Photo courtesy of Williamstown Planning Board.

Cottage housing as a single-family development option

Cottage housing developments are groupings of small, attached or detached, single-family dwelling units that are often oriented around a common open space area. Cottage-style homes are usually 1½ stories and have one or two bedrooms. Cottage housing developments have greater densities and smaller square footage than typical single-family subdivisions and can foster a sense of community as a “neighborhood within a neighborhood.” They can be a good option for workforce housing and downsizing seniors.

A Cottage Housing Bylaw is similar to an open space bylaw in that it provides density bonuses in exchange for a common open space set-aside but focuses on houses on smaller lots. Cottage houses tend to be smaller in living area and are thus less expensive to produce. At the same time, their clustered design allows for more efficient placement of water, wastewater, utilities, and other infrastructure, further reducing development costs. The focus on shared common space allows the developer to off-set some of the loss of private space by creating shared amenities in the common area such outdoor seating and grilling areas. Similar to condominiums, buyers need to be comfortable with less private space in exchange for lower costs and a more communal atmosphere.

An example of a local zoning bylaw that allows cottage housing is the Town of Buckland’s zoning bylaw. It was amended in 2021 to allow Cottage Housing as an option within a Village Open Space Residential Development, allowable by site plan review in zoning districts served by

municipal water and sewer. Central Massachusetts Regional Planning Commission has also created a Cottage Housing Bylaw available for towns to consider.



Figure 10. Cottage court houses in Shoreline, Washington. Photo by Ross Chapin Architects.

Chapter 40R Smart Growth and/or Chapter 40Y Starter Home Overlay Districts

Chapter 40R Smart Growth

M.G.L. Chapter 40R is a zoning enabling act that encourages towns and cities in Massachusetts to adopt overlay zoning districts that will facilitate housing development, including affordable housing, in mixed use areas. The following locations are eligible to be a 40R smart growth district:

- Areas near transit stations
- Areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns, and existing rural village districts
- Areas that by virtue of their infrastructure, transportation access, existing underutilized facilities, and/or location make highly suitable places for residential or mixed-use smart growth zoning districts

Chapter 40R overlay districts may be applied to specific parcels, which otherwise would be considered spot zoning and not allowed. Allowable densities must be at least 8 units per acre for single family homes, 12 units per acre for 2-3 family homes, or 20 units per acre for

buildings with 4 or more units. Not all uses or types of densities are required – for example, a district could allow only 2-3 family homes by-right at the required density. There are affordable housing requirements within the district.³

Before adopting the zoning district, it must be approved by the Massachusetts Executive Office of Housing and Livable Communities (EOHLC). Once approved and adopted by the community, the town can receive anywhere from \$10,000 to \$600,000 as an incentive payment, depending on the number of new housing units permissible under the overlay district as opposed to the underlying district. Communities also receive a bonus payment of \$3,000 for each housing unit that is created within the district, payable when the building permit has been issued for the unit. Additionally, through M.G.L. Chapter 40S, towns and cities with smart growth overlay districts are reimbursed any net cost of educating students living in the new housing in a smart growth district. The reimbursement is equal to the cost of educating students living in new housing in a smart growth district minus the percentage of new revenues from the district that would otherwise be devoted to educational costs, and any increase in state educational aid resulting from students living in new housing in the district.

In addition to these benefits, towns and cities with smart growth districts are given preference when applying for state discretionary funds such as the MassWorks program and may be given relief from a Chapter 40B Comprehensive Permit application, since a town or city that adopts a smart growth overlay district is showing a commitment to creating affordable housing. If a Town is interested, they should contact EOHLC for a site visit and pre-application meeting to explore this possibility further. Montague is a Franklin County community that has formed 40R districts.

Compact Neighborhoods

Recognizing that the Chapter 40R smart growth district may not be appropriate for all communities, EOHLC also offers a zoning incentive program called Compact Neighborhoods. Compact Neighborhoods can be a base or overlay zoning districts. The same types of locations identified above for smart growth districts are eligible to be Compact Neighborhoods. The district must allow, as of right, at least one of the following densities: 8 units per acre for multi-family (2-family or more) homes, or at least 4 units per acre for single family homes. The district must have enough developable land to allow for a minimum number of “Future Zoned Units,” which is generally one percent of the year-round housing units in the community. EOHLC staff are available to assist towns interested in creating a Compact Neighborhood zoning district.

³ More information is available online at <https://www.mass.gov/info-details/chapter-40r>.

Chapter 40Y Starter Homes

Enacted in 2022 through An Act Relating to Economic Growth and Relief for the Commonwealth (Acts of 2022, Chapter 268), the Starter Home Zoning Districts Act (M.G.L. Chapter 40Y), encourages communities to create starter home districts that reduce barriers to creating smaller, more affordable starter homes. A starter home district must allow densities for single family homes at a minimum of 4 units per acre and includes affordability restrictions up to 100% AMI⁴ (as opposed to 80% AMI). The community first drafts a Starter Home Zoning District that meets the requirements of M.G.L. Chapter 40Y and the 40Y Regulations. The draft zoning bylaw is then submitted to EOHLC for approval. Once approved by EOHLC, the community is then free to adopt the Start Home Zoning District. Massachusetts offers incentives and technical assistance for towns and cities to create these districts.⁵

The community is entitled to a one-time zoning incentive payment upon adoption of a compliant Starter Home Zoning District. They are also entitled to a second payment for each new housing unit built.

Adapt zoning for farm housing and farm worker housing

Across Massachusetts, there has been a steady loss of farmland over the last 120 years.⁶

Farming is still very active in Franklin County and is embraced as important to the identity of many rural communities. Small scale farming is an industry in which the business owner lives where they work. Unfortunately, farmer and farmworker housing is often not available or affordable. Traditionally, a farmhouse was built for a single farmer with a large family. However, today's farmers may have smaller families and may not be able to or want to afford the large farmhouse. Additionally, modern farmers may wish to farm collaboratively with several families.⁷ Communities wishing



Figure 11. Multi-family housing next to farmland can enable farmers and farm workers to work and live on the same property.

⁴ AMI = Area Median Income

⁵ More information is available online at <https://www.mass.gov/info-details/starter-homes-program-chapter-40y>

⁶ Massachusetts Farmland Action Plan, 2023-2050. UMASS Donahue Institute, MA Food System Collaborative, Massachusetts Department of Agricultural Resources, and American Farmland Trust.

⁷ Personal communication from Mount Grace Land Trust during a Small Town Housing Working Group meeting in 2024.

to protect their agricultural heritage should ensure their local zoning allows for the kind of housing, including multi-family housing and smaller housing, that farmers and farmworkers in their town need and can afford.

Create a mill redevelopment overlay district

An Overlay District is a type of land use zoning district that lies on top of the existing zoning and can cover many underlying districts or portions thereof. The use of Overlay Districts provides communities with an opportunity to meet the unique needs of geographic areas that may either require higher levels of protection or that may not be reaching their fullest development potential. An Overlay District for Mill Redevelopment can specifically target certain parts of town where economic or housing development is desired.



The Town of Williamstown, MA created a special overlay zoning district called the Cable Mills Redevelopment District to allow for the adaptive reuse of a historic mill building. The cable mills was converted to 61 units of housing, in a combination of affordable and market rate units. Homes are being marketed at <https://www.cablemills.com/>.

Zoning for artist housing

“Live and work spaces” for artists are a way to promote a vibrant arts culture in a community. Adaptive re-use of buildings such as mill buildings, former schools, and commercial spaces can offer live/work spaces, if the zoning allows. In Beverly, MA, a former middle school and high school was recently converted to 85 income-restricted apartments for people aged 55 and over, and six live/work apartments with no age restriction with preferences given to artists.⁸

⁸ Beverly Village for Living and the Arts, opening in the fall of 2024 and described online at <https://www.livebeverlyvillage.com/>

Rose Street Artist's Co-op in Burlington, VT

Located in a residential neighborhood in a historic former bakery that had long been abandoned, this building was transformed into 12 rental affordable housing units and a vibrant community arts space. Common space includes a gallery, laundry room, office, bike room and parking garage. The building is managed the Champlain Housing Trust.



Allow assisted living facilities, nursing homes, elderly housing

Assisted living facilities, nursing homes, and different types of senior or elderly housing may be desirable for community members as they age. Many towns do not specifically list these options as allowable in their zoning bylaws, however. Surveys in Franklin County have shown that residents feel strongly about wanting to stay in their communities as they age.⁹ This means long-time residents may feel inclined to stay in their homes beyond the time that they can reasonably maintain their homes if there are no local options to which they can move. Alternatively, they may be forced to leave their town or county – and their social network – to move where there is housing that meets their needs. Specifying that these housing options are an allowable use in a zoning bylaw does not guarantee that such a facility will be built, but it can facilitate a pathway towards one being built.

⁹ Age- and Dementia-Friendly Franklin County & North Quabbin Regional Action Plan 2024-2028. Produced by FRCOG and LifePath. Online at <https://frcog.org/wp-content/uploads/2023/11/Age-Friendly-regional-plan-final-for-web-11.13.23-optimized.pdf>.

Regulate short term rentals

The popularity of short-term residential rentals (houses or lodging rented for less than 30 days, often through online booking sites like AirBnb and VRBO) has led to dwelling units that have traditionally been used as permanent housing converted into short term rentals. This conversion can reduce the availability of long-term housing, and this drives up housing costs by making the housing market overly competitive. Short term rentals have the benefit of providing lodging opportunities and tourism can contribute to the local economy. Communities can address short term rentals in their zoning bylaws in ways that can help balance the need for housing and lodging. Buckland, Colrain, Orange, and Whately are Franklin County communities that have addressed short term rentals in their zoning bylaws in different ways that fit the needs of their towns.

Non-zoning tools

Adopt the Community Preservation Act

The Community Preservation Act (CPA) is an option for municipalities that can be used to generate a new source of funding for the development of affordable housing. Communities that adopt the CPA impose a property tax surcharge up to 3% which sets aside funds to address local needs related to open space protection, affordable housing, historic preservation, and recreation. Local CPA funds are matched by the Commonwealth through the Massachusetts Community Preservation Trust Fund. Towns can choose certain exemptions, such as exempting the first \$100,000 of a home's value and exempting low-income residents from paying the tax surcharge.

As of 2024, the municipalities in Franklin County that have already adopted the Community Preservation Act include Conway, Deerfield, Greenfield, Leverett, Northfield, Shelburne, Shutesbury, Sunderland, and Whately. Statewide, 55% of the municipalities in Massachusetts have adopted the CPA. Towns have occasionally pooled CPA money to help fund a housing development project in one town.

Community Preservation Act Adoption

May 2023

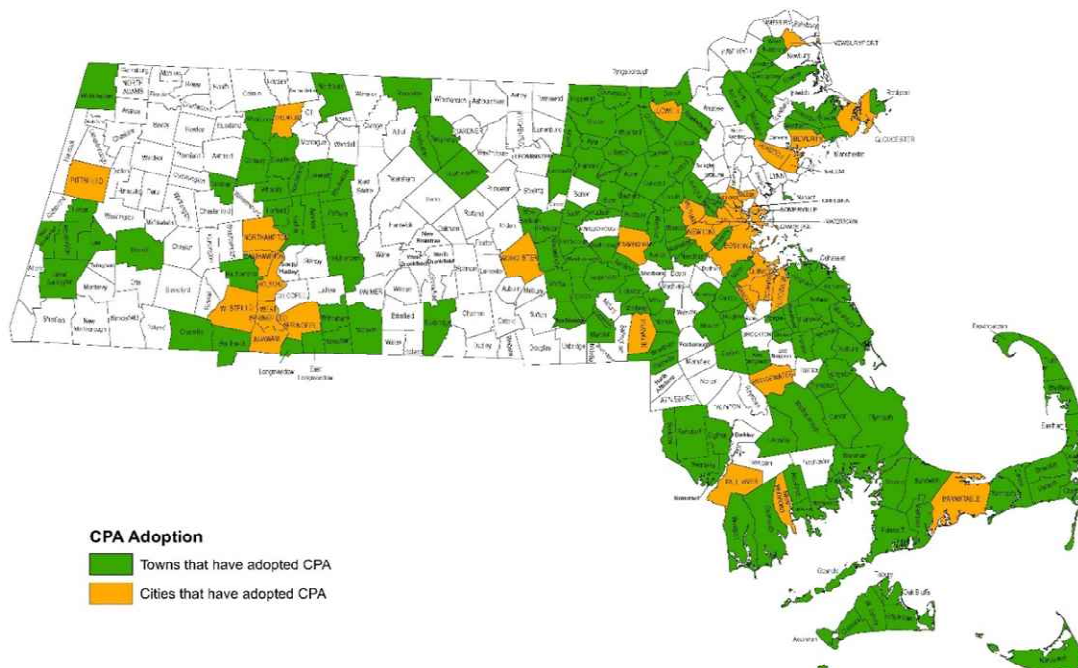


Figure 12. Map showing towns and cities that have adopted the CPA (courtesy of Community Preservation Coalition).

Form a Municipal Affordable Housing Trust

A municipal housing trust allows municipalities to collect funds for affordable housing, and to segregate this funding out of the general municipal budget into a trust fund. A municipal affordable housing trust (MAHT) can use funds for the following purposes:

- Provide financial support for the construction of affordable homes by private developers (nonprofit and for-profit)
- Rehabilitate existing homes to convert to affordable housing
- Increase affordability in new housing development projects
- Develop surplus municipal land or buildings
- Support rent assistance for low- and moderate-income households

The sources of funding vary among housing trusts and can include CPA funds, municipal general funds, cell tower lease payments, private donations, earmarked lodging tax or meals tax revenues. In most communities with housing trusts, CPA funds are the most common source of funds. The trust statute requires that municipalities create a board of trustees with a minimum of five members, so the municipal affordable housing trust would become a new town board. MHP has written a guidebook that can be useful, and they also provide assistance to towns in forming a MAHT.¹⁰

Earmark lodging tax revenue for housing

For those towns that have opted in to the local lodging tax, there is no limit to the way a municipality can use these funds. Many communities on Cape Cod, for example, have been earmarking lodging tax revenues to help pay for new sewage treatment regulations and/or to contribute funding for affordable housing projects. This funding, or a percentage of it, could be re-invested into the community to fund housing-related programs or projects that the Town decides is a high priority, such as affordable housing projects, housing repair assistance, shelter costs, or rental assistance. If a town has an Affordable Housing Trust, tax revenues earmarked for housing could go into the Trust.

¹⁰ MHP's MAHT Guidebook is online at

https://www.mhp.net/assets/resources/documents/MAHTGuidebook_2018.pdf

Zoning Analysis

This section includes an analysis of each of the six Complete Neighborhoods communities' zoning and then provides a set of recommendations based on the Toolkit provided in the previous section.

A comparison of each town's zoning is shown in the Table below. Overall, the Complete Neighborhood communities have zoning that is predominantly focused on facilitating single family homes and the protection of their forest and farmlands. Aside from Whately, each municipality has both public water and sewer serving portions of their towns. For some communities, the amount of town covered by the municipal utility can be limited and it varies. For example, 97% of Erving is served by municipal sewer, and 50% is served by municipal water. Having water and/or sewer can enable towns to make possible through zoning the development of housing types that are denser and more varied than a single-family home. Not only could these changes allow for more housing in the town villages, but they can also protect valued natural resources.

Table 1. Comparison of housing tools currently in place in Complete Neighborhood communities

HOUSING-RELATED ZONING IN FRANKLIN COUNTY, MA						
	DEERFIELD	ERVING	GREENFIELD	MONTAGUE	ORANGE	WHATELY
HOUSING ZONING PROVISION						
2020 Census Population	5,090	1,665	17,768	8,580	7,569	1,607
Municipal water (at least partial)	Y	Y	Y	Y	Y	Y
Municipal sewer (at least partial)	Y	Y	Y	Y	Y	N
"Housing" mentioned in bylaw's purpose statement	N	N	Y	Y	N	Y
Min lot size ≤ ¼ acre (10,890 ft ²) in at least one district	N	N	Y	Y	Y	N
2-Family allowed by right in at least one district	Y	Y	Y	Y	Y	N
Multifamily allowed in town	SP	SP	Y/SP	Y/SP	Y/SP	SP
Attached ADU	Y	Y	SPR	Y/SP [1]	Y	SP
Detached ADU	SP	SP	SP	SP	N	SP [2]
Manufactured housing (mobile homes) allowed in at least one district	N	N	N	N	N	N
Townhouses (zero lot line)	N	N	N	Y	N	N
Cottage housing	N	N	N	N	N	N
Backlot or flag lot provision	N	N	Y	SP	Y	Y
Common driveway	N	N	Y	Y	N	Y
Cluster or Conservation bylaw or equivalent	Y	Y	Y	Y	Y	Y
Mixed use within a building	Y	N	Y	Y	N	N
Senior Housing, Elderly Housing	N	Y	Y	N	N	Y
Nursing home or assisted living	Y	N	SP	N	N	Y
Affordable incentives or requirements	N	Y	N	Y	N	Y
Live-work (not home-based business)	N	N	N	N	N	N
Notes:						
Y = Yes, allowed by right						
N = No, not allowed or not addressed in the zoning bylaw						
SP = Allowed by Special Permit						
SPR = Must go through Site Plan Review process						
[1] ADUs within an existing building allowed by right, attached ADUs require a SP						
[2] Allowed for existing detached/accessory buildings only						
	DEERFIELD	ERVING	GREENFIELD	MONTAGUE	ORANGE	WHATELY
OTHER HOUSING TOOLS						
Town has passed Community Preservation Act (CPA)	Y	N	Y	N	N	Y
Town has an affordable housing trust	N	N	N	N	N	Y
Town has opted in to local lodging tax	Y	N	Y	N	Y	Y

Deerfield

Snapshot of Deerfield

Deerfield is a town with 5,090 residents and 2,313 housing units as of the 2020 Census, with an average density of 0.39 housing units/acre (Residency).¹¹ Deerfield is one of Franklin County's larger towns in population size. Its proximity to two exits along I-91 and a short drive to UMASS Amherst make it a desirable place to live. The Town is located to the south of the Deerfield River and to the west of the Connecticut River, and it has long been an agricultural community with excellent soils for growing crops. It is the site of industrial and commercial growth along Routes 5 and 10, and Route 116.

Deerfield has two water districts providing public water to residents: Deerfield and South Deerfield Water Districts. Deerfield also has two wastewater treatment plants, in Old Deerfield (which mostly serves Deerfield Academy, the Bement School, and Historic Deerfield) and South Deerfield.

Deerfield is served by the Franklin Regional Transportation Authority's (FRTA's) Route 31, which runs between Greenfield and Northampton, with numerous stops along Routes 5 and 10, as well as a diversion into the center of South Deerfield. The Pioneer Valley Transit Authority (PVTA) also serves Deerfield by connecting the South Deerfield village with Sunderland and Amherst to the south.

Deerfield adopted the Community Preservation Act in 2007 at the 3% level. The CPA is a revenue stream of approximately \$350,000-400,000 each year for Deerfield. The Town has not yet created any units of housing with CPA money, but there is a senior housing project in preliminary planning stages that has received approval for spending CPA funding. Deerfield has opted in to a local lodging tax of 6% and this has been providing approximately \$250,000-\$275,000 per year to the Town budget in recent years.

In 2014, Deerfield prepared a Housing Production Plan which detailed changing demographics and the need to increase the amount of rental housing, worker housing, and senior housing in town.

The following table is a summary of the zoning for the Town of Deerfield. Deerfield's zoning map can be found on page 24.

¹¹ According to the Residency online tool available from Massachusetts Housing Partnership at <https://www.mhp.net/data/residency>

Table 2. Summary of Zoning for Housing in Deerfield

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Center Village Residential (CVRD)	Y	Y	12,000 (1F) 15,000 (2F) 18,000 (MF)	100 (1F) 125 (2F) 150 (MF)	35	Y	Y	SP
Residential-Agricultural (RA)	P	P	60,000	200	35	Y	N	N
Small Business (C-1)	Y	Y	15,000	125	35	N	N	SP
Expedited Permitting District (EPD)	Y	Y	None	None	48	N	N	SP

P = Part of this zoning district is served

1F = single family, 2F = two family or duplex, MF = multifamily

Y = allowed by right, SP = special permit required, N = not allowed

Additional housing-related zoning details:

- Deerfield has zoning bylaw provisions for **flexible development** and **conservation subdivisions**.
- **Assisted living facilities** are allowed by special permit in the CVRD, RA, and EPD zoning districts.

Recommendations

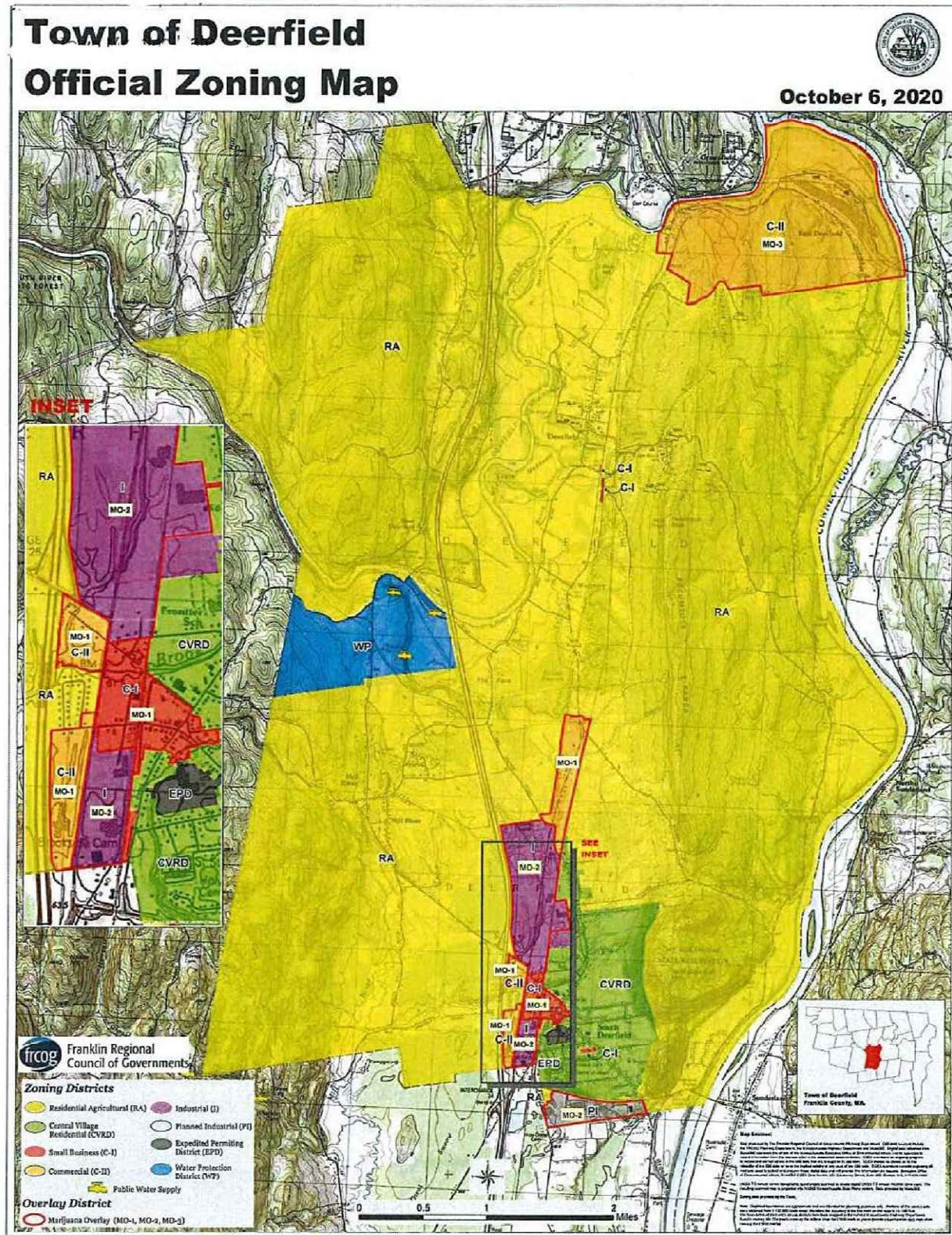
Based on the existing public infrastructure and current regulations, there are multiple ways in which Deerfield could tweak its zoning to allow for a more diverse housing stock and add housing units to town. The following recommendations include several recommendations that are contained within the Deerfield HPP, but also include updated recommendations based on the 2024 Affordable Homes Act and other recommendations generated as part of this project.

Zoning for Housing Recommendations for Deerfield:

- ✓ Include housing in the zoning bylaw's purpose statement.
- ✓ Modify ADU bylaw to comply with state law.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ In the CVRD zoning district, make the minimum lot size and frontage the same for single family homes and duplexes.
- ✓ In the CVRD zoning district, consider reducing the minimum lot size to allow 4 dwelling units per acre (10,000 square feet) and 75 feet of frontage. This approximates some of the existing development patterns of smaller residential lots in the center of South Deerfield.
- ✓ In the CVRD zoning district, consider allowing townhomes.
- ✓ Allow duplexes by right in all residential districts.
- ✓ In the RA zoning district, consider reducing lot size and frontage requirements for parcels that are served by municipal water and/or sewer.
- ✓ In the C zoning district, allow mixed use commercial and residential buildings.
- ✓ Set the maximum building height to a number of desired floors in each district rather than a set height.

Non-zoning recommendations

- ✓ Consider forming an Affordable Housing Trust in Deerfield.
- ✓ Consider earmarking all or some portion of Deerfield's \$250,000-\$275,000 in local lodging tax revenues (2023) to be added to an Affordable Housing Trust in combination with CPA funds or used in another way to contribute to housing repairs for residents who are unable to afford keeping their homes up to code or building affordable housing.



Erving

Snapshot of Erving

Erving is a town with 1,665 residents and 733 housing units as of the 2020 Census, with an average density of 0.54 units/acre ([Residency](#)). Route 2 runs along the entire length of the town, west to east. The Millers River serves as the town's southern border and the town abuts the Connecticut River for a short segment on its western border. Erving has one active paper mill (Erving Paper mill) and another mill that houses many small businesses; much of the town to the north of the Millers River is forested. Almost 30% of the town's area is permanently protected as Erving State Forest. Erving benefits financially from the presence of a large hydropower facility, the Northfield Mountain Pumped Storage Project, allowing Erving to have one of the lowest residential property tax rates in the state.

Erving has a municipal water system that serves the Erving side section of town. The rest of the town is not on municipal water. Erving also has three wastewater treatment plants, serving Erving side, Farley, and Erving Center areas of town.

Erving is served by the FRTA's Route 32, which runs between Greenfield and Orange. There are stops in Millers Falls, the bowling alley in Erving side, and Erving Center.

The following table is a summary of the zoning for the Town of Erving. Erving's zoning map can be found on page 27.

Table 3. Summary of Zoning for Housing in Erving

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Rural Residential (RR)	N	N	65,340	175	45	Y	Y	N
Village Residential (VR)	P	M/Y	21,780	125	45	Y	Y	SPP
Center Village (CV)	P	Y	21,780	125	45	Y	Y	SPP
French King District (FKD)	N	N	65,340	175	45	Y	Y	SPP

P = Part of this zoning district is served, M/Y = mostly yes, M/N = mostly no

Y = allowed by right, SPP = special permit required through the planning board, N = not allowed

Additional housing-related details:

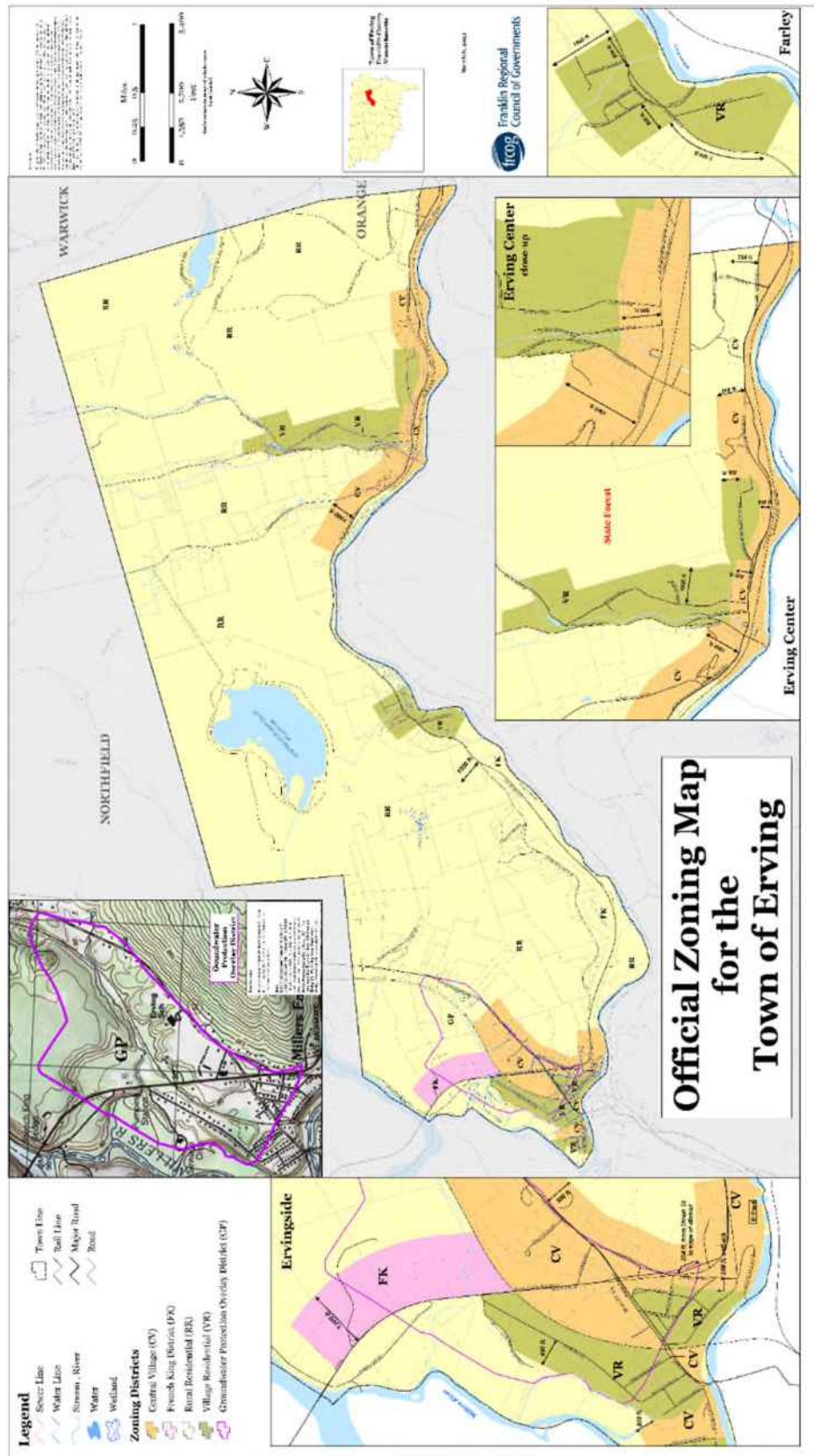
- Erving has zoning bylaw provisions for **flexible development** by special permit through the planning board. A minimum of 10% deed-restricted affordable units is required, and the housing can include one and two-unit structures.
- **Senior housing** is allowed by special permit through the planning board in the RR, VR, CV, and FKD zoning districts.

Recommendations

Based on the existing public infrastructure and current regulations, there are multiple ways in which Erving could tweak its zoning to allow for a more diverse housing stock and add housing units to town.

Zoning for Housing Recommendations for Erving:

- ✓ Include “housing” in the zoning bylaw’s purpose statement.
- ✓ Modify ADU bylaw to comply with state law, if necessary.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ In parts of the RR zoning district that are served by public sewer, reduce the minimum lot size to a size that would accommodate a private well.
- ✓ In parts of the VR and CV zoning district served by both water and sewer (Erving’side), consider reducing the minimum lot size to a quarter of an acre and reducing the minimum frontage. Neighborhoods within this area already have a density of 3 units/acre.
- ✓ In parts of the VR and CV zoning districts served by both water and sewer (Erving’side), consider allowing 3-family dwellings (triplexes) and 4-family dwellings (quadriplexes) by right.
- ✓ Consider zoning amendments to allow for townhouses, cottage housing, backlot/flag lots, and/or common driveways in appropriate areas of town.
- ✓ Erving’s zoning bylaw does not list nursing homes or assisted living facilities. Evaluate whether the town would like to allow for those facilities.
- ✓ Allow mixed use buildings that permit for commercial and residential uses on the same parcel.
- ✓ Consider designating the International Paper plant property a 40R zoning overlay district.
- ✓ Consider an adaptive re-use bylaw or overlay district for areas of town that have or formerly had defunct mill buildings.
- ✓ Consider allowing artist work/live spaces in certain areas of town, such as former mill buildings.



Greenfield

Snapshot of Greenfield

Greenfield is a city with 17,768 residents and 8,183 housing units as of the 2020 US Census, with an average density of 1.42 housing units/acre ([Residency](#)). It is Franklin County's only city by charter and the City hosts many services for the county. There are two exits off I-91 within Greenfield, and Routes 2 and 5/10 travel through the city. Greenfield abuts the Connecticut River and the Deerfield River. Greenfield has a deep industrial history and has long had dense worker housing near the commercial center. Greenfield has a downtown shopping area, retail areas near an I-91 exit and elsewhere, a small industrial park, and hosts the county's hospital and many medical offices. In the outskirts of the city, it is rural and agricultural. Eight census blocks within Greenfield qualify as Environmental Justice communities based on the income category. Two census blocks within Greenfield qualify as EJ communities based on minority and income categories. These areas all lie east of I-91 and south of Route 2.

Much of the City is served by municipal water and sewer, but the rural parts of town are not served by these utilities. Greenfield has a sizable number of multifamily buildings and offers the most diverse housing options within Franklin County.

Greenfield is FRTA's transfer hub, and there are eight bus routes that cover parts of the city and go to neighboring communities. Greenfield also has an Amtrak train station, with train service through the Valley Flyer and the Vermonter south to Northampton, Springfield, New Haven CT, New York City and beyond; and north to Brattleboro, VT, Montpelier, VT, and Essex Junction (near Burlington) VT. Greyhound and Peter Pan has bus routes that stop in Greenfield MA.

Greenfield adopted the Community Preservation Act in 2020 at the 1% level. The CPA is a revenue stream of approximately \$300,000 each year for Greenfield. Housing projects are in high demand of CPA money in Greenfield, and four housing-related projects have been funded in the last two funding cycles. Greenfield has opted in to a local lodging tax of 6%, and in 2023, this provided over \$330,000 in revenue to the City budget.

Greenfield completed a detailed Housing Plan in 2024 that showed demographics of the community today and proposed a number of strategies for diversifying housing. The Housing Plan included a comprehensive set of ideas on parking provisions and non-zoning strategies that are not incorporated in this report.

The following table is a summary of the zoning for the City of Greenfield. Greenfield's zoning map can be found on page 33.

Table 4. Summary of Zoning for Housing in Greenfield

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Rural Residential (RC)	Y*	N*	1F: 40,000 (50,000 if no water & sewer) 2F: 50,000 MF: 50,000 + 5,000x(#units-2)	200	35	Y	Y	3-unit SPR, MF SP
Suburban Residential (RB)	Y	Y	1F: 12,000 2F: 15,000 MF: 15,000 + 4,000x(#units-2)	80; 140 for 3F & MF	35	Y	Y	3-unit SPR, MF SP
Urban Residential (RA)	Y	Y	1F: 8,000 2F: 10,000 MF: 10,000 + 4,000x(#units-2)	65; 75 for 3F; 100 for MF	35	Y	Y	3-unit SPR, MF SP
Semi-Residential (SR)	Y	Y	1F: 8,000 2F: 10,000 MF: 10,000 + 4,000x(#units-2)	65; 75 for 3F; 100 for MF	35	Y	Y	3-unit SPR, MF SP
Health Service District (H)	Y	Y	1F: 8,000 2F: 10,000 MF: 10,000 + 4,000x(#units-2)	65; 75 for 3F; 100 for MF	35 outside Hospital Campus, 50 inside	Y	Y	3-unit SPR, MF SP

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Central Commercial (CC)	Y	Y	None (residences must comply with RA dimensions)	0	50	SP	SP	Y
Limited Commercial (LC)	Y	Y	None, but MF is 4,000*(# units-2) (residences must comply with RA dimensions)	30; 75 for 3F; 100 for MF	35	Y	Y	3-unit Y; MF SP
General Commercial (GC)	Y*	Y*	None, but MF is 4,000*(# units-2) (residences must comply with RA dimensions)	30; 75 for 3F; 100 for MF	40	SP	Y	3-unit SPR; MF SP
General Industrial (GI)	Y	Y	None (residences must comply with RA dimensions)	30	50; higher by SP	N	N	SP (4 or more units)

* There are some exceptions - some areas lie inside or outside of service area

P = Part of this zoning district is served

Y = allowed by right, SP = special permit required through ZBA, N = not allowed

1F = single family, 2F = duplex, MF = multi-family

Additional housing-related details:

- Greenfield is one of the few Franklin County communities that includes in the Zoning Bylaw's **purpose statement** the following: *"to encourage housing for persons of all income levels."*
- **Flag lots** are allowed by special permit in RC and RB districts.
- **Open space/cluster development** is allowed by right in RC, RB, and RA districts with a five-acre development parcel minimum.

- **Shared housing and assisted living facilities** are allowed by special permit in the RC, RB, RA, SR, H, and CC zoning districts. **Assisted living facilities** are also allowed by special permit in the GC zoning district.
- **Congregate housing for the elderly or handicapped and nursing homes** are allowed by special permit in the RB and RA zoning districts. **Nursing homes** are allowed by right in the H zoning district.
- **Lodging/boarding houses** allowed by special permit in the RA and SR zoning districts, and by special permit as part of mixed residential and business use in the CC zoning district.
- **Shared housing** allowed by special permit in the RA, SR, H, and CC zoning districts.
- **Mixed residential and office uses** are allowed by special permit in the SR and H zoning districts.
- **Mixed residential and business uses** are allowed by right in the CC, LC, and GC zoning districts and by special permit in the GI zoning district.
- Greenfield has a **Planned Unit Development (PUD) district** in the lower Meridian Street area of the CC zoning district. This allows multiple buildings on a lot.

Recommendations

Based on the existing public infrastructure and current regulations, there are multiple ways in which Greenfield could tweak its zoning to allow for a more diverse housing stock and add housing units to town. The following recommendations include several recommendations that are contained within the 2024 Greenfield Housing Plan. As of the writing of this report, Greenfield is in the midst of voting on several housing-related zoning changes related to multi-family dwellings.

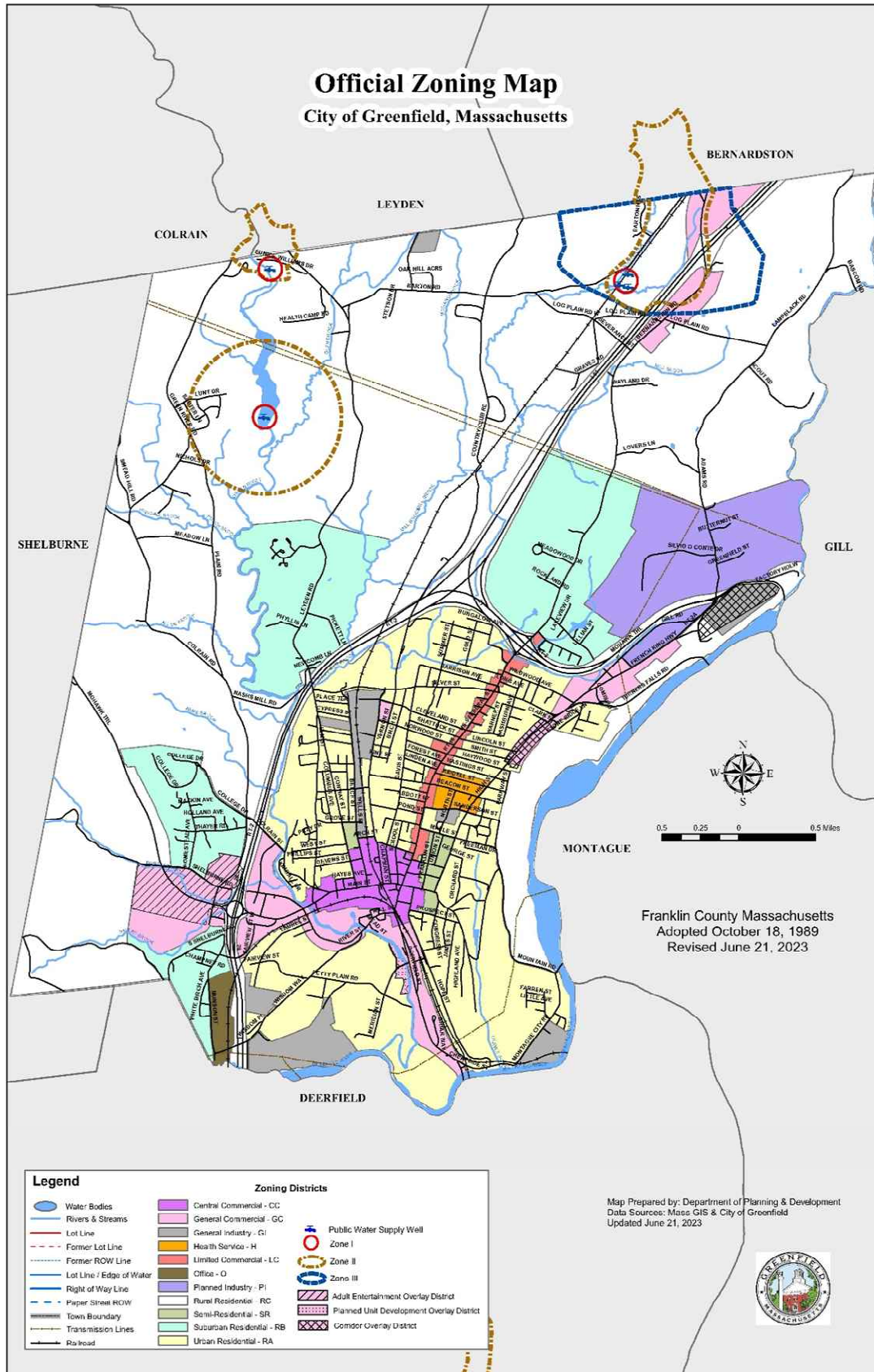
Zoning for Housing Recommendations for Greenfield

- ✓ Modify ADU bylaw to comply with state law.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ Eliminate additional minimum lot size requirements for 2-unit homes.
- ✓ Eliminate additional minimum lot size and minimum frontage requirements for multifamily homes in the RA, SR, and H zoning districts.
- ✓ Allow 3-unit (triplexes) and 4-unit (quadriplexes) without administrative site plan review in the RA and SR zoning districts.
- ✓ Include affordable housing incentives in the Greenfield zoning bylaws.
- ✓ Amend the maximum height restrictions for residential buildings based on a number of desired maximum floors rather than a set height.

- ✓ Allow for townhomes (zero lot lines) in at least one zoning district.
- ✓ Incorporate the concept of cottage housing in the zoning bylaw.
- ✓ Explore whether designating a Chapter 40R Smart Growth district makes sense for Greenfield.
- ✓ Review the FRTA bus routes to allow for denser housing near FRTA's bus stops in Greenfield.
- ✓ Explore zoning or other city ordinance options to allow for rapid response or temporary shelters or shelter villages for people experiencing homelessness.
- ✓ Address short term rentals comprehensively in the zoning ordinance.

Non-zoning Recommendations:

- ✓ Create an Affordable Housing Trust.
- ✓ Earmark and invest a percentage of Greenfield's \$330,000 in lodging tax revenues (2023) to fund affordable housing, housing repair, shelter costs, and other types of housing projects. These funds could be put into an Affordable Housing Trust if created.



Montague

Snapshot of Montague

Montague is a town with 8,580 residents and 4,292 housing units as of the 2020 US Census, with an average density of 0.81 units/acre ([Residency](#)). It is the second largest population center in Franklin County. Montague lies between the Millers River to the north and the Connecticut River to the west. Montague has five villages – Turners Falls, Millers Falls, Montague City, Montague Center, and Lake Pleasant. Turners Falls is the largest village and is the business center of the town. Two of the villages, Turners Falls and Millers Falls, were industrial mill villages driven by proximity to rivers. Montague benefits financially from the presence of a large hydropower facility, which manages the Turners Falls dam and associated hydropower facilities, including a 2-mile-long power canal and generation stations off the canal at Station No. 1 and Cabot Station. The town owns a small airport and has an industrial park. Much of the town is nevertheless very rural. Four census blocks within Montague qualify as Environmental Justice (EJ) communities based on the income category. The EJ areas are located in Turners Falls village.

Montague has two municipal water systems, Turners Falls and Montague Center water districts. Municipal wastewater treatment is provided for many parts of town by the Montague Water Pollution Control Facility, and Erving's POTW No. 1 in the village of Millers Falls.

Montague is served by three different FRTA bus routes. Route 23 runs between Greenfield and Sunderland, and has stops in Turners Falls, Millers Falls, and Montague Center. Route 24 runs between Turners Falls, downtown Greenfield, and Greenfield Community College. Route 32 runs between Greenfield and Orange, with stops in Montague City, Turners Falls, and Millers Falls.

Montague prepared a Housing Production Plan in 2015 and completed a Comprehensive Plan in 2024. Each document looked at Montague's demographics and recommended ways to diversify housing. Montague received a small-town housing award from the Massachusetts Housing Partnership in 2023 for several recent efforts to advance housing.

The following table is a summary of the zoning for the Town of Montague. Montague's zoning map can be found on pages 38 and 39.

Table 5. Zoning for Housing Summary in Montague

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Agriculture Forestry (AF)	P	P	43,560	150	28	Y	SP	N
Agriculture Forestry-2 (AF-2)	P	N	87,120	200	28	Y	SP	N
Agriculture Forestry-4 (AF-4)	N	N	174,240	250	28	Y	SP	N
Residential-1 (RS-1)	Y	Y	15,000 + 5,000/unit after 2 nd	100	28	Y	SP	SP (3-4)
Residential-2 (RS-2)	Y	N	22,500 + 5,000/unit after 2 nd	150	28	Y	SP	SP (3-4)
Rural Business (RB)	Y	N	43,560 plus 22,500/unit after 1 st		28	Y	Y	SP (3-4)
Neighborhood Business (NB)	Y	Y	10,000	75	28	Y	Y	SP
Central Business (CB)	Y	Y	0	0	36	Y as part of mixed use	Y as part of mixed use	Y (3-4), SP (5+) as part of mixed use
General Business (GB)	Y	N	0	0	36	SP	SP	SP, including mixed use
Historic Industrial (HI)	Y	Y	0	0	50	N	N	SP

P = Part of this zoning district is served

Y = allowed by right, SP = special permit required through ZBA, N = not allowed

Additional housing-related details:

- Montague is one of the few Franklin County communities that includes in the Zoning Bylaw's **purpose statement** the following: *"to recognize the need for housing for persons of all income levels."*
- Montague has zoning bylaw provisions in the **open space residential development** in the AF, AF-2, AF-4, RS-1, and RS-2 zoning districts for parcels 5 acres or more. There are bonus incentives for creating affordable units.
- There is a **back lot development provision** by special permit approval in the Agricultural Business Overlay District that allows for dwelling units to be developed on land unsuitable for agriculture. Land conservation is required.
- **Lodging houses** are allowed by SP in the CB zoning district.
- **Common driveways** are allowed by special permit through the planning board.
- **Mixed use of commercial and residential uses** is allowed by right for up to 4 dwelling units in the CB zoning district, and by special permit in the CB (>4 units) and GB zoning districts.
- A **Planned Unit Development (PUD)** may occur in the Industrial District, GB, or HI Zoning Districts by Special Permit from the Planning Board. A PUD is a development of land as a single entity under the direction of a comprehensive site plan, in which a mixture of land uses, a variety of building types and designs, and open space are provided for in a coherent manner.
- Montague is Franklin County's only community to have enacted **40R zoning**. There is a 40R smart growth area on First Street (NB zoning district) and at the former Griswold Mill (HI district) that allows multifamily housing and mixed-use development by right and has an affordability requirement. Habitat for Humanity of Pioneer Valley submitted an accepted proposal for six single family homes on the 0.65-acre parcel, and the project is currently delayed because of contaminated soils requiring additional analyses.

Recommendations

Based on the existing public infrastructure and current regulations, there are multiple ways in which Montague could tweak its zoning to allow for a more diverse housing stock and add housing units to town.

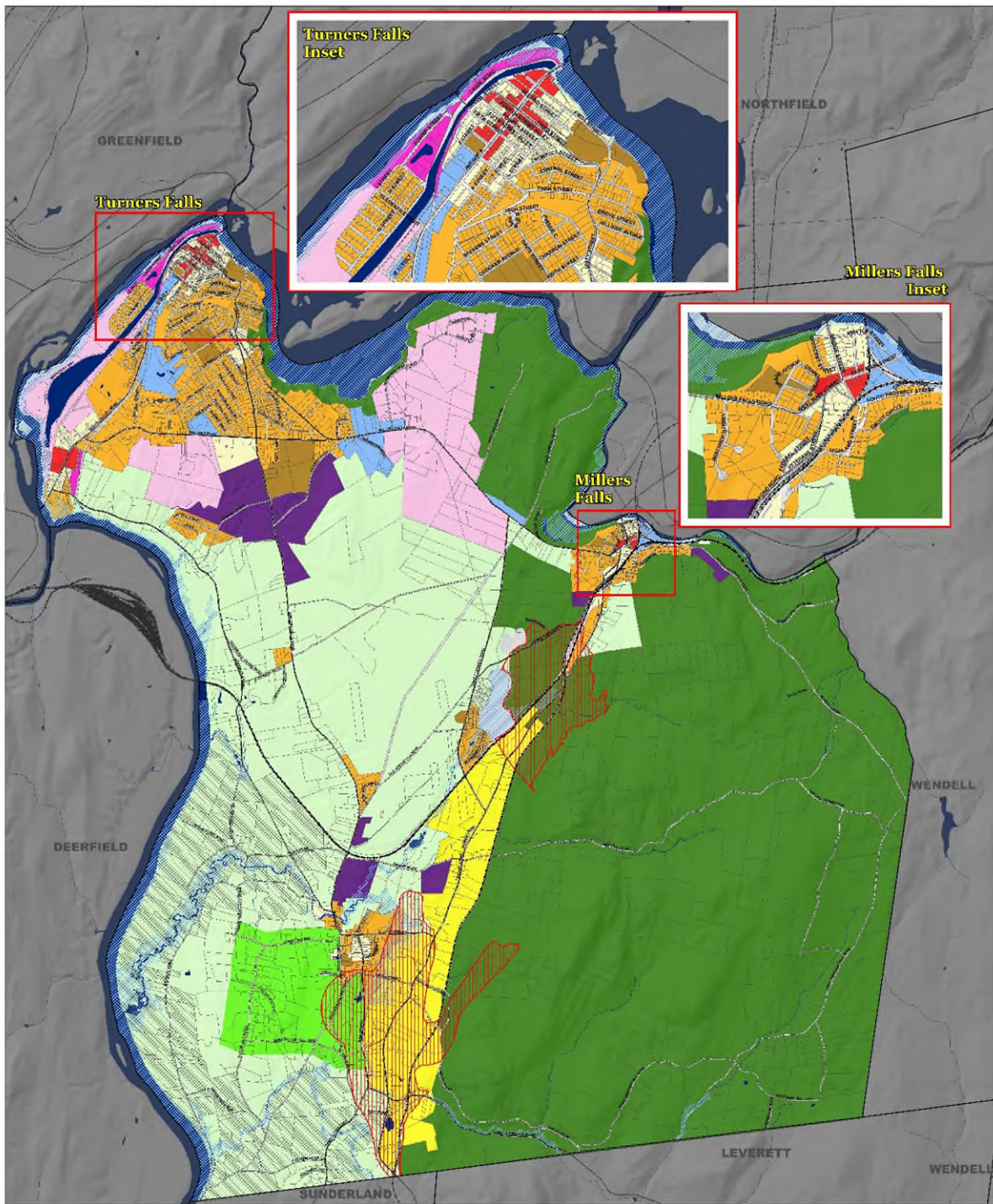
As part of the Complete Neighborhood grant, the Town of Montague underwent an analysis for a large parcel in Montague City where the Farren Care Center used to be, which was recently demolished. MHP recently awarded the Town a \$62,000 Community Planning Grant to look at zoning changes for this area. As that effort will be a detailed analysis of zoning for that area, this set of recommendations will not attempt to overlap.

Zoning for Housing Recommendations for Montague:

- ✓ Modify ADU bylaw to comply with state law.
- ✓ Allow duplexes by right in all residential districts.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ Allow 3-unit (triplexes) and 4-unit (quadriplexes) by right in the RS-1, RS-2 and NB zoning districts, and eliminate additional minimum lot sizes in areas served by municipal water and sewer.
- ✓ Allow multifamily homes by right in the NB zoning district.
- ✓ Reduce the minimum lot size and frontage requirements in the RS-1 zoning district.
- ✓ Amend the maximum height restrictions for residential buildings based on a number of desired maximum floors rather than a set height.
- ✓ Allow for townhomes (zero lot lines) in the NB zoning district.
- ✓ Incorporate the concept of cottage housing in the zoning bylaw.
- ✓ Consider allowing artist live/work space in certain areas of town.

Non-Zoning Recommendations

- ✓ Explore the option of adopting the Community Preservation Act in order to create a funding source for affordable housing, recreation, open space, and historical preservation.



Montague Zoning Map

Zoning District

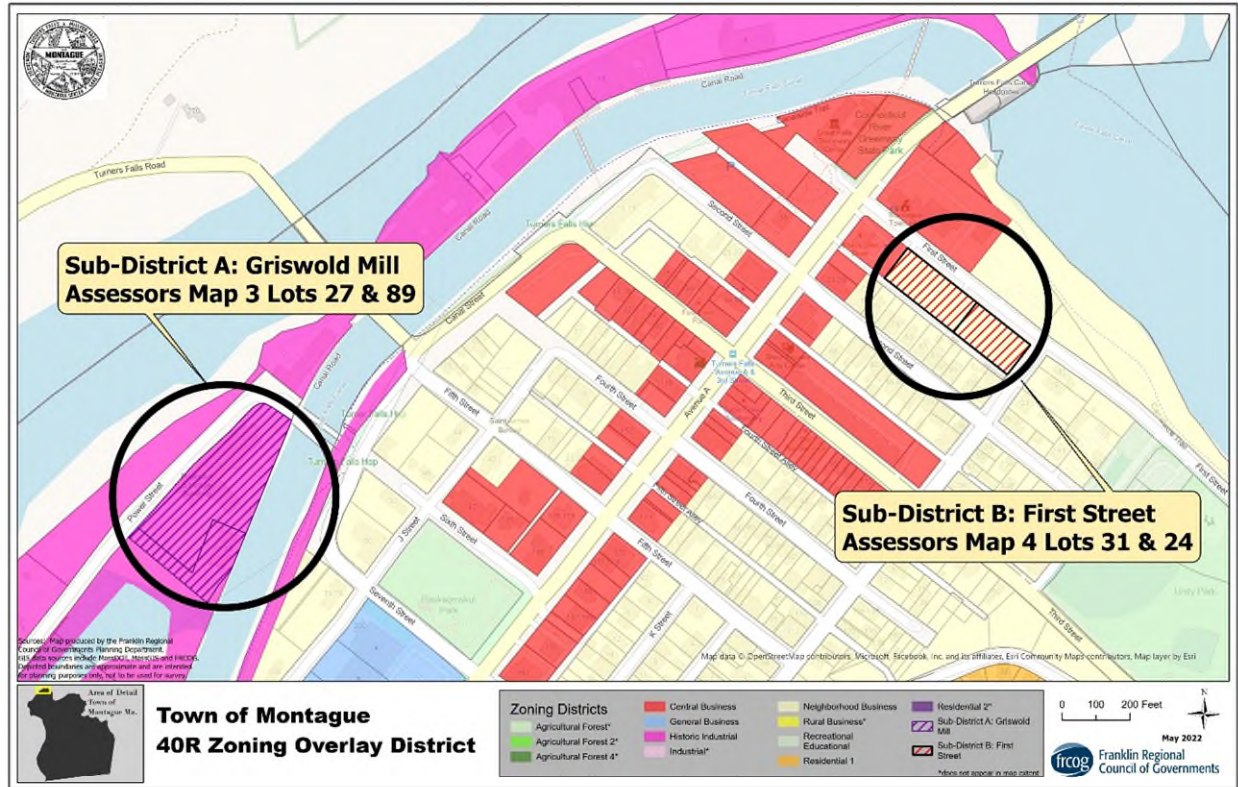
300 or More Units	Agricultural - Rural (AR)	Historic Industrial (HI)	Agricultural District Overlay District
Major Road	Agricultural - Rural - (AR-P)	Medium-Density Residential (MDR)	Water Supply Protection District
Road	Accessional - Forest (AF)	Residential - (RS)	
Railroad	Office - Business (OB)	Residential - (RSD)	
State, Street	General Business (GB)	Rural Business (RB)	
Water Body	Industrial (I)	Residential - Rural (RR)	

0 0.5 1 2 Miles

Town of Montague, Franklin County, VT

Franklin Regional Council of Governments

5/16/19



Orange

Orange is a town with 7,569 residents and 3,418 housing units as of the 2020 US Census, with an average density of 0.46 units/acre ([Residency](#)). Route 2 runs through town east to west, Orange is located on the eastern edge of Franklin County. The Millers River runs through town, and the river provided power to older mills in town. Tully Pond and Lake Mattawa are two popular lakes in town with seasonal rental homes available along the shores. There is a municipal airport and an industrial park in Orange. Much of the outer parts of town are rural. Two census blocks within Orange qualify as Environmental Justice communities based on the income category. The EJ areas are located in the southern half of town in the central and eastern end.

Orange has municipal water and sewer serving the central part of town and the industrial district.

Orange is served by one FRTA bus route. Route 32 runs between Greenfield and Orange, with stops in Orange at the Riverfront Park on East River Street, King James and Pinecrest Apartments, Hannaford Supermarket, and Walmart Plaza. The Montachusett Regional Transit Authority (MRTA) operates fixed route bus service between downtown Orange and Athol on weekdays and Saturdays.

Orange has opted in to a local lodging tax of 6%, and in 2023, this provided almost \$75,000 in revenue to the town budget.

Orange prepared a Housing Plan in 2023 that demonstrated Orange's current housing is not meeting the needs of its current population. There is a need for more housing for seniors, first-time home buyers, workforce housing, low-income households, and residents with disabilities. Orange is planning to undergo a comprehensive planning process in 2025.

The following table is a summary of the zoning for the Town of Orange. Orange's zoning map can be found on page 44.

Table 6. Zoning for Housing Summary in Orange

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Residential Rural (RR)	N	N	87,120 + 80,000 for each detached or attached > 2 units.	200	3 stories	Y	Y	SP

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Residential (R)	P	N*	43,560 + 20,000/40,000 for each detached or attached > 2 units with/without sewer.	100	3 stories	Y	Y	SP
Residential Village (RV)	Y	Y*	with sewer: 10,000, without sewer: 21,780. + 10,000/20,000 for each detached or attached > 2 units with/without sewer.	50	4 stories	Y	Y	SP
Downtown (DT)	Y	Y	5000. Add 5,000 for each detached or attached > 2 units.	50	5 stories	SP	SP	Y
Business (B)	Y	Y*	with sewer: 10,000, without sewer: 21,780. Add 10,000/20,000 for each detached or attached > 2 units with/without sewer.	50	4 stories	Y	Y	SP

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Industrial (I)	Y	P	with sewer: 21,780, without sewer: 43,560. +20,000/40,000 for each detached or attached > 2 units with/without sewer.	100	3 stories	Y	Y	SP

* There some areas not served.

P = Part of this zoning district is served

Y = allowed by right, SP = special permit required through ZBA, N = not allowed

Additional housing-related details:

- **Conversion of historic commercial or industrial structures for residential use** allowed by SP.
- Orange has zoning bylaw provisions for an **open space development** in all zoning districts except for DT for parcels 6 acres or more.
- Flag lots are allowed with same lot size requirements for the zoning district in B and RV districts and if double the lot size in RR and I.

Recommendations

Based on the existing public infrastructure and current regulations, there are multiple ways in which Orange could tweak its zoning to allow for a more diverse housing stock and add housing units to town.

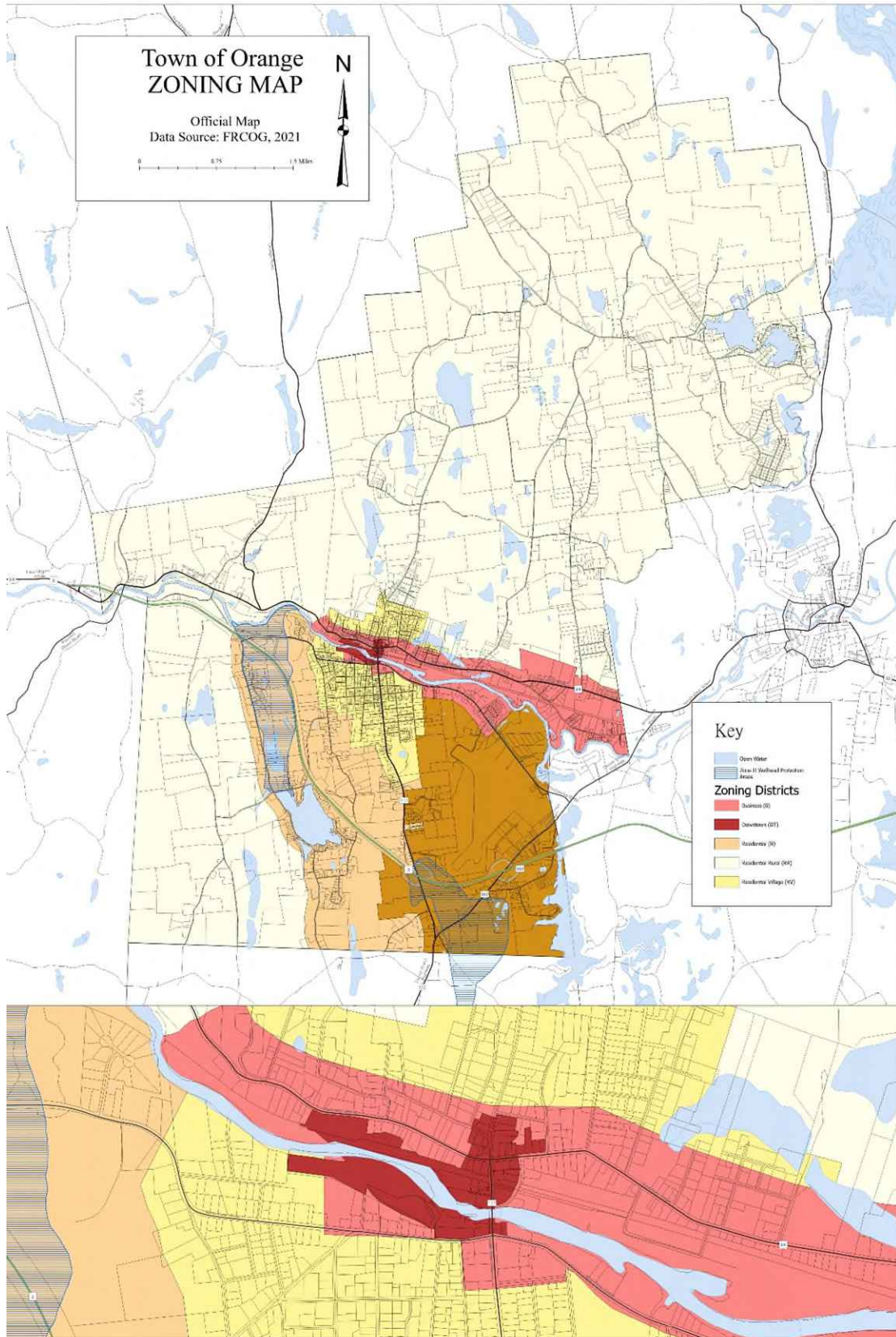
Zoning for housing recommendations for Orange.

- ✓ Include housing in the zoning bylaw's purpose statement.
- ✓ Modify ADU bylaw to comply with state law.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ Reduce minimum lot size and frontage requirements in the rural residential district.
- ✓ Eliminate extra lot size requirements for additional units in the RV and DT zoning districts in areas that are served by both water and sewer.

- ✓ Allow 3-unit (triplexes) and 4-unit (quadriplexes) by right in the RV zoning district.
- ✓ Create a provision for common driveways in the zoning bylaw.
- ✓ Allow for townhomes (zero lot lines) in the DT, RV, and B zoning districts.
- ✓ Incorporate the concept of cottage housing in the zoning bylaw.
- ✓ Allow mixed uses of commercial and residential buildings.
- ✓ Create a provision for artist work/live spaces.
- ✓ Consider adopting a Chapter 40R Smart Growth and/or Chapter 40Y Starter Home Overlay District.
- ✓ Consider a Mill Redevelopment Overlay District.
- ✓ Add provisions for senior housing, nursing homes, and/or assisted living facilities in the zoning bylaw.

Non-zoning recommendations

- ✓ Earmark and invest a percentage of Orange's \$75,000 in lodging tax revenues (2023) to fund housing projects, housing repair, shelter costs, rental assistance, and other types of housing projects.



Whately

Whately is a town with 1,607 residents and 682 residential units as of the 2020 Census, with an average density of 0.26 units/acre ([Residency](#)). Routes 5 and 10 run along the entire length of the town, north to south. I-91 bisects the town and there are two exits that serve Whately. Whately is south of Deerfield, and on the border of Franklin and Hampshire County. The Connecticut River is the eastern border of the town. Whately is an agricultural town, with some commercial growth along Routes 5 and 10. The largest business in town is Nourse Farms, which is a producer and seller of small fruit plants (strawberry, raspberry, and blackberry) and root-based crops like asparagus, horseradish, and rhubarb. Commercial cannabis growing is a rising business in town. The far northwest section of town hosts a reservoir that serves Northampton's water supply, and land use is protected around the reservoir. Residential areas are scattered along the main roads that run east and west of I-91.

Whately has a public water district that serves some parts of the town. There is no municipal wastewater system for Whately.

Whately is served by the FRTA's Route 31, which runs between Greenfield and Northampton and travels along Routes 5 and 10, with a stop at the Whately Park and Ride.

Whately adopted the Community Preservation Act in 2008 at the 3% level and has created a Municipal Affordable Housing Trust. The CPA is a revenue stream of approximately \$150,000-175,000 each year for Whately. The Town has not yet created any units of housing with CPA money. Whately has opted in to a local lodging tax of 6%, and this has been providing approximately \$7,000 per year to the Town budget in recent years.

Whately created a Housing Production Plan in 2023. This plan identified housing needs for senior residents, first-time homebuyers, Whately's workforce, low-income households, and residents with disabilities.

The following table is a summary of the zoning for the Town of Whately. Whately's zoning map can be found on page 49.

Table 7. Summary of Zoning for Housing in Whately

Zoning District	Muni water	Muni sewer	Min. lot size (square feet)	Min. frontage (feet)	Max. height (ft)	Single Family	Two-family	Multi-family
Agricultural Residential 1 (AR1)	P	N	With pub water: 40,000; without water: 60,000	With pub water: 175; without water: 200	35	Y	SP(+)	SP(+), max of 4 units
Agricultural Residential 2 (AR2)	M/N	N	With pub water: 80,000; without water: 120,000	With pub water: 200; without water: 300	35	Y	SP(+)	SP(+), max of 4 units
Commercial (C)	P	N	With pub water: 40,000; without water: 60,000	With pub water: 175; without water: 200	35	Y	SP(+)	SP(+), max of 4 units

P = Part of this zoning district is served, M/Y = mostly yes, M/N = mostly no

Y = allowed by right, SPP = special permit required, N = not allowed

(+) = For two-family and multifamily structures, an additional 20,000 square feet of lot area and 75 feet of frontage is required for each unit in excess of one.

Additional housing-related details:

- **Community Housing Bylaw** allows projects under 12 units to receive dimensional relief from zoning if at least 20-25% of the units have long term affordability restriction and go through a site plan review and special permit process.
- **Converting single-family dwellings** more than 10 years old to 2- or 3-family units are allowed by special permit in the AR1, AR2, and C zoning districts. One of the units must be owner occupied, and two parking spaces per dwelling unit is required.
- **Converting historic, municipal, religious, or commercial structures for residential use** is allowed by special permit.
- Whately allows **flag lots** via a special permit process.

- **Flexible residential development** is allowed with site plan review through the planning board in the AR1, AR2, and C zoning districts. It limits a sub-development to not more than 10 lots and allows for reduced lot sizes and frontages if other lots are increased.
- Whately has zoning bylaw provisions for **open space/cluster residential subdivision developments** with site plan review through the planning board. There are bonus incentives for affordable housing units.
- **Congregate elderly housing facilities** are allowed by special permit in the AR1, AR2, and C zoning districts. A congregate housing structure may contain up to four dwelling units. More than one congregate housing structure may be placed on a lot, up to five structures.
- **Common driveways** are allowed in Whately through a special permit process.
- **Nursing homes** are allowed in all zoning districts by special permit.
- Whately eliminated a growth control provision in their zoning bylaws in 2024 that previously restricted the number of dwelling units allowed per year.

Recommendations

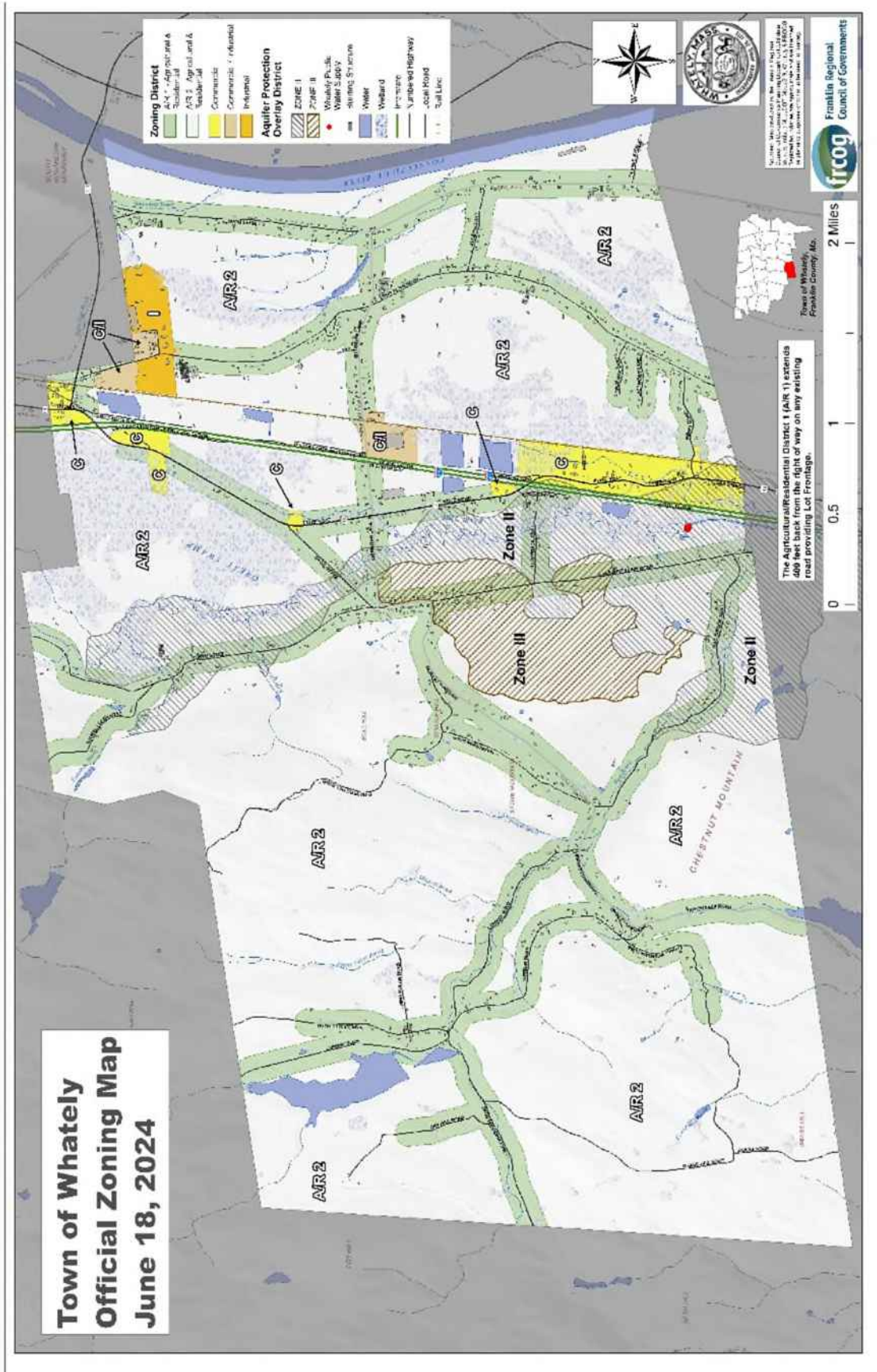
Based on the existing public infrastructure and current regulations, there are multiple ways in which Whately could tweak its zoning to allow for a more diverse housing stock and add housing units to town.

Zoning for Housing Recommendations for Whately

- ✓ Include housing in the zoning bylaw's purpose statement.
- ✓ Modify zoning bylaw on ADUs to comply with state law.
- ✓ Clarify and allow manufactured homes the same way any single-family homes are allowed.
- ✓ Create a sub-committee to explore options for enhancing and enabling housing for farmers and farm staff.
- ✓ Allow duplexes by right in all residential districts.
- ✓ Eliminate the requirement for additional lot size and frontage required for duplexes.
- ✓ Evaluate the possibility of creating a sub-category of a zoning district or an overlay district in village areas where denser housing is possible through smaller lot sizes and/or allow multifamily housing by right in these areas.
- ✓ Evaluate whether the additional lot size and frontage is necessary for properties that are outside of the public water service area.
- ✓ Allow mixed use residential units in commercial buildings along the FRTA transit route.

Non-zoning Recommendations

- ✓ Develop a plan to use CPA money to create affordable housing in Whately.
- ✓ Consider earmarking all or some portion of lodging tax revenues to be added to the Affordable Housing Trust.



Building Permitting Analysis

As part of this project, FRCOG met with building inspection department staff in each Complete Neighborhood community to understand the permitting process for building housing. Erving and Whately use the Franklin County Cooperative Inspection Program (FCCIP) inspectors that are part of FRCOG's regional services. The other four communities have their own building inspection staff, although Greenfield uses the FCCIP electrical and plumbing inspectors.

Process Summary

State building code dictates much of the inspection and permitting process to build new homes. Each town has a slightly different process and staffing, but there are many similarities because all communities follow the state building code law. Building inspection departments have 30 days to act on a building permit application. All of the Complete Neighborhood partner municipalities are close to or are now using an electronic permitting system.

Generally, the process for building a new home is as follow for the six Complete Neighborhood communities:

An applicant (either homeowner or contractor) files a set of structural plans, surveyed site plans, and preliminary HERS (Home Energy Rating System) score. Depending on the town, signoffs of some form typically need to happen from the following town departments or boards:

- ☒ Zoning enforcement officer (the building commissioner) – The plans must demonstrate the structure proposed is allowed in the zoning district, and complies with lot size, building height, and setback restrictions.
- ☒ Conservation Commission (wetlands) – Projects are reviewed to see if they potentially affect a regulatory wetland. If so, they would need to go through the Conservation Commission first, before getting a building permit. Some towns have a staff person at town hall review building permit applications for an initial screening, then they forward information to the Conservation Commission if it looks like a site visit or permitting is necessary. Other towns have their local Conservation Commission go into the e-permitting system and approve (with or without additional action, depending on the project and location).
- ☒ Fire Department (fire alarms and suppression systems) – In most towns, the Fire Department reviews the initial plans to make sure the designs have the correct fire alarms and suppression systems in place. All towns have the fire department conduct an inspection prior to the final building permit sign-off.
- ☒ Water (either municipal water hookup or private well) - If a home is in an area served by municipal water, the Water Department, Highway Department, Department of Public

Works (DPW), and/or the Fire and Water District must approve a connection to the system. If a home must have a private well installed, the Board of Health needs to approve.

- ☒ Sewer (municipal sewer hookup or private septic system) – If a home is in an area served by municipal sewer, the Highway Department or DPW must approve a connection to the system. If a home needs a private septic system, the Board of Health needs to approve. A new septic system costs \$20,000 to \$60,000 for a single-family home depending on size and soil conditions.
- ☒ Highway Department (driveway curb cut) – Some towns have a driveway bylaw that has specific requirements for new driveways, but all towns generally require some level of review by the Highway Department or Department of Public Works (DPW).
- ☒ Town treasurer or tax collector: The town treasurer ensures that an applicant is current on paying their property taxes before a project moves forward. Town assessor's offices will often provide a tax parcel number, and new housing will incur new property taxes for the life of the dwelling.

Though the process to get a dwelling unit built and permitted has become more streamlined as municipalities use electronic permitting and approvals, applicants may have to contact individual departments in municipalities as the process moves forward. This can vary by town, depending on infrastructure and staffing levels.

Building inspectors visit the site four times at a minimum: they perform a footing/foundation inspection, framing inspection, insulation inspection (electrical and plumbing sign-off first), and a final inspection (electrical and plumbing, and fire department signoff first). There may be additional inspections for porches, garages, and other structures accessory to the main dwelling unit. After the final inspection is approved, a Certificate of Occupancy can be issued by the building inspector.

Town administrative staff provide assistance to applicants to help walk them through the process, or to overcome issues or confusion with the building permit software.

Costs for building permits for new dwelling units vary by town and are defined slightly different in each community but are typically based on the cost of constructing the dwelling unit. For towns that use the Franklin County Cooperative Inspection Program (FCCIP), applicants can estimate the cost as \$200 per square foot. For a new 2,000-square foot single-family home, estimated at a construction cost of \$400,000, a building permit will cost \$1,040 in Greenfield; \$2,800 in Erving, Montague, and Whately; \$4,000 in Orange; and \$4,030 in Deerfield.

Table 8 below summarizes some of the building inspection steps and staffing.

Table 8. Summary of Building Permit Information in Complete Neighborhood Communities

<i>Municipality</i>	Deerfield	Erving	Greenfield	Montague	Orange	Whately
2020 Census Population	5,090	1,665	17,768	8,580	7,569	1,607
Permitting software	PermitEyes (new in 2024)	PermitEyes	Transitioning to Municipity5	CitizenServe	MyGovernment (new in 2021)	PermitEyes
GIS mapping	Parcel maps are online at https://next.axisgis.com/DeerfieldMA/ . No water and sewer layers on this map. The CAI card lists whether the property is on municipal water or sewer.	Parcel information available through the state at https://maps.massgis.digital.mass.gov/MassMapper/MassMapper-Erving.html . No water and sewer layers on this map. The Patriot Property card does not contain information on water and sewer.	Parcel maps are online at https://next.axisgis.com/GreenfieldMA/# . Utilities are layers available to view. The Patriot Property card also states what utilities are available at the parcel.	Parcel maps are online at https://next.axisgis.com/MontagueMA/# . Sewer line is a layer available to view. Neither Patriot or CAI property card lists utilities available at a parcel.	Tax parcels are available online at https://next.axisgis.com/OrangeMA/# . No water and sewer labels available (working on this). CAI property card does not list utilities available at a parcel.	Tax parcel information available online at https://next.axisgis.com/WhatelyMA/# . Town water not an available layer. CAI property card does not list available at a parcel.
Building inspection staff	1 building commissioner, 1 support staff	FCCIP: 1 building commissioner, 1 local inspector, 2 support staff	1 building commissioner, 2 inspectors, 1 admin staff	1 building inspector, 1 admin staff	1 building commissioner, 1 inspector, 1 support staff	FCCIP: 1 building commissioner, 1 local inspector, 2 support staff
Electrical inspection staff	1 inspector, 4 hours of office hours/week, otherwise reachable by separate phone number	FCCIP inspector & admin staff	FCCIP inspector & admin staff, comes in one day/week	1 inspector, reachable through building inspection phone number	1 inspector plus alternate, reachable by separate phone number	FCCIP inspector & admin staff
Plumbing inspection staff	1 inspector, reachable by separate phone number	FCCIP inspector & admin staff	FCCIP inspector & admin staff, comes in one day/week	1 inspector, reachable by separate phone number	1 inspector plus alternate, reachable by separate phone number	FCCIP inspector & admin staff
Municipal water	Partial: Deerfield and South Deerfield Fire Districts, possibly a section served by Greenfield	Partial: Erving Water Department in Millers Falls only	Most of City is on public water	Most of town is either served by Turners Falls Water Department or Montague Center Water District	Central and industrial area served by Orange Water Department	Partial: Whately Water Department and Whately Water District
Municipal sewer	Partial: Old Deerfield WWTP, South Deerfield WWTP	Partial: Erving POTW 1 (Millers Falls), 2 (Erving Center), and 3 (Farley)	Most of the City: Greenfield WWTP	Partial: Montague WWTP and Erving POTW 1	Central core of town: Orange WWTP	None
Board of Health permits	1 Health Inspector	Eastern Franklin County Health District (2 health agents/3 towns)	1 Health Director, 1 Health Inspector, 1 admin	1 Director of Public Health, 1 admin	North Quabbin Health Collaborative (1 health agent, 1 health inspector, 1 health admin)	Foothills Health District (1 health agent/4 towns)
Driveway review	Zoning bylaw lists driveway requirements. Building inspector advises applicant of requirements, communication with Highway Superintendent through permitting software	Local driveway bylaw and permit through Highway Department. Signoff on permit software.	DPW access application review and signoff through software	Building inspector advises applicant of requirement of curbcut permit with Highway Superintendent	Curb cut permit and Highway signoff through software system.	Local driveway bylaw and permit through Highway Department. Signoff on permit software.
Wetlands review	Building/Con Com admin staff review, then Con Com	Local Conservation Commission reviews permit in system, checks off or makes a site visit before proceeding	Conservation Agent or Planning Director reviews permit in system, checks off or makes a site visit before proceeding	Consult with town planner, then Con Com	Consult with town planner, then Con Com	Local Conservation Commission reviews permit in system, checks off or makes a site visit before proceeding
Fire Department review	2 water and fire districts, only one staffed full time	Fire Chief and Captain	Fully staffed fire department	2 water and fire districts, both staffed	Fire Chief	Fire Chief

Town-Specific Strengths and Recommendations for Improvement

Best practices for all towns:

- ✓ Applicants should have simple, clear, or easily accessible resources that outline exactly what the submission requirements are. Make sure that the required information and a step-by-step outline of the building permit application is available to the general public, preferably on the town website.
- ✓ A building permit process flowchart would be helpful. See, for example, Alexandria, Louisiana: <https://www.cityofalexandriala.com/sites/default/files/docs/permits-licenses/Flow%20Chart%20Graphic.pdf>.
- ✓ Provide regular status updates to applicants, or automated emails detailing which phase the review board is on.

Deerfield

Deerfield adopted a cloud-based permitting system in 2024 and are finding it much easier to track which permits are open vs. closed.

There is a helpful “Frequently Asked Questions” explanation under the Inspection Services department on the Town website.

The Building Inspector reports that the parts of town served by municipal water and sewer are not necessarily clear. Some of the staff with institutional knowledge regarding this matter is retiring. FRCOG found that the CAI property cards in the online assessor’s maps had a category for utility codes under “general information.” Properties in Old Deerfield and South Deerfield village did have water and sewer listed. In East Deerfield, where the inspection staff thought there was municipal water coming from Greenfield, there was no indication on that in the property cards, so the accuracy of that information is not clear.

On the Town website, the home page has a link for “Apply for Building Permit” that goes to the PermitEyes login page. Under “How Do I...?,” a button lists town inspection services, and that link goes to the permit applications page that has no contact information. The most comprehensive information about building permitting can be found under the pull-down menus for Government, choosing Department and Inspection services.

- ✓ Develop a GIS layer showing areas of town that are served by municipal water and sewer and add this layer to the town’s online tax mapping so that town staff and members of the public can easily access this information
- ✓ Review the different ways to look up building permitting on the town website and make sure they are consistent.

Erving

The Town website has a “How Do I ...?” button and lists building permits and board of health permits first under register/apply for category. This makes it easy to find and is helpful.

Unlike many towns, Erving has forms and a fee schedule for connecting to water and sewer. The information is available and straightforward. However, it is not easy to find out what parts of town are served by municipal water and sewer.

Erving has a Driveway and Curb Cut Bylaw, which is easy to learn about on the Town website.

Erving relies on MassMapper through MassGIS for their parcel maps. This makes it harder to find out information about properties and their ownership.

The FCCIP inspections web page has an undated sheet that lists minimum requirements at the time of the application, but it is not clear if that information is for a single-family house, or other types of buildings.

The FCCIP inspections web page has a “Guide to Permitting Process for Construction of 1 & 2 Family Dwellings.” A guide like this is a good idea, but it is dated April 30, 2013, so is most likely dated. It should be reviewed and updated as needed.

- ✓ The FRCOG recommends Erving join the many towns that have put their assessors maps online. Additionally, the FRCOG recommends that the layers for municipal water and sewer be included as functional layers when the town adopts online parcel maps.
- ✓ Update the FCCIP information available online to make sure the minimum application requirements and the Guide to Permitting Process has the most recent information.

Greenfield

Greenfield is a fully staffed city with more resources than other municipalities in the county, and with a wide swath of the city served by municipal water and sewer.

Greenfield offers a “one stop shop.” Applicants filing building permits do not need to independently contact different city departments for permits. The Building Department handles and coordinates all of the other department signoffs, reducing the effort for applicants.

Greenfield is in stage 4 of 6 adopting an electronic permitting system. In this stage, all city departments are using the system. It is not yet available to applicants. The use of the software has streamlined communications and review across departments.

Greenfield’s utilities are easily viewed on their tax parcel GIS system.

- ✓ Greenfield should consider adding links for building and health inspection under its “How Do I ...?” button on the City website.
- ✓ It would be beneficial to include guidance on the building inspection page that applicants file the building inspection permit first, and the City takes care of the rest.

Montague

Montague is adequately staffed and departments are located all on the same floor, so communications and systems seem good.

Montague's sewer systems are viewed on their tax parcel GIS system, which is publicly available online. The town has several water districts and there is not much information online about them. Though areas served by sewer are also served by water, it is not exact. This could be a point of confusion for applicants.

There are multiple routes on the town website for finding out information about building permitting, but the most helpful route is under "Your Government" and then "Building Department." On the Town home page, there is an online permitting option, and you can choose building permits, which kicks you over to the CitizenServe portal. Even though it is possible to load town-specific contact information, it just has generic spaces that say "AnyTown USA."

- ✓ The Town should make it easier to understand which parts of town are served by different water districts.
- ✓ Review the different ways to look up building permitting on the town website and make sure they are consistent. Reduce confusion related to the CitizenServe portal.

Orange

Orange has transitioned recently to an online permitting system, and they are working towards a tax parcel GIS system, which will improve efficiency for building inspectors.

The Town website has an Online Permitting Instructions sheet that is helpful.

The Town website does not have information on driveway rules, but the DPW Superintendent is interested in formalizing this process.

The building inspection process in Orange requires applicants to be up to date on property taxes, as many towns require. It appears the building permitting system may forward the permit to the tax collector first, and this step apparently results in some processing delays, especially when the applicant is the contractor and is not responsible for staying up to date on property taxes.

The Orange Wastewater Treatment Plant is operating at roughly 95% of its design capacity because the system has a high amount of infiltration and inflow (I&I) into the plant. The Town is under a consent order with the Massachusetts Department of Environmental Protection. The order requires all new sewer connections in town be approved by the DEP, and that a fee be assessed for new connections. The fee is based on the proposed gallons per day to be added to the system, which is based on the number of bedrooms. This fee goes into a "sewer bank" that helps pay for I&I reduction projects. This may make sewer connection more expensive than

other towns, but it is likely to be much less expensive than the average cost of installing a septic system.

- ✓ FRCOG recommends that a building permit go to the building department first, and that an online application have a required field for the property owner's email address. When the permit is reviewed concurrently by the tax collector, a message on tax delinquency be can quickly delivered to the correct party, and the permit process can proceed in a timely fashion.

Whately

There is no information on the Town website about what streets are served by the municipal water system in town. The town does not have any public sewer.

A new water connection fee is \$5,000, which is much steeper than Greenfield's fee of \$1,000.

The FCCIP inspections web page has an undated sheet that lists minimum requirements at the time of the application, but it's not clear if it is for a single-family house, or other types of buildings

The FCCIP inspections web page has a "Guide to Permitting Process for Construction of 1 & 2 Family Dwellings." A guide like this is a good idea, but it is dated April 30, 2013, so it should be reviewed and updated as needed.

- ✓ Make information available online about what areas are served by the municipal water system and how new connections are approved.
- ✓ Update the FCCIP information available online to make sure the minimum application requirements and the Guide to Permitting Process has the most recent information.

Identified Issues Limiting Housing Development

In FRCOG's interviews with building inspection departments, staff mentioned several factors that may be limiting housing development in the towns in which they work.

Available land or cost of land for sale

Land that becomes available can be expensive, and because the zoning in most towns requires a large lot size, this adds to the expense of building a home.

Building material cost

Building material costs grew significantly during the Covid-19 pandemic, and some material costs never returned to pre-pandemic levels. This has made the cost of building a home very expensive. The National Association of Home Builders has a blog post explaining how this

impacts housing: <https://www.nahb.org/blog/2024/07/how-soaring-prices-building-materials-impact-housing>

Contractor availability

Many building inspectors mentioned that there was a labor and contractor shortage in Franklin County, with contractors being booked out at least a year in advance. Orange was the exception – building inspection staff mentioned that there were many building contractors in the Orange and Athol area.

Cumbersome state building code

Building inspectors frequently mentioned the need for the state building code to be updated into a single document. They described that the building code that is in effect is spread over multiple amendment documents, and a homeowner who is not in the building field who would want to get a handle on requirements would never be able to get up to speed on where to find things. This is also a problem with the energy stretch code requirements. Making the Massachusetts building code consolidated into a single document that is searchable would be helpful to professional building inspectors, as well as anyone thinking of building a home and wanting to learn more about what is required.

Different permitting systems from town to town

Though the Complete Neighborhood towns are now all using a permitting software system, and they all chose their particular systems to fit their needs, one team said having a state-wide system would be helpful. That way, contractors would only need to learn one system to apply for building permits in any municipality in Massachusetts. Having the same online permitting system would also avoid the impression that people have that one town is “different” than another, even though they are all following the same state building code.

Energy code requirements

Energy requirements are spread over the base code, the stretch code, and the specialized code. None of the six communities have passed the specialized code, and none of the building inspectors felt it was appropriate for their communities to pass the specialized code, based on the sense of the added cost and the economics of their towns. There is some disagreement about the overall added cost of the stretch code. Some building inspectors thought it added approximately 20% to the cost of building a home. Others mentioned having read studies that it adds 10% or less and there is a 10-year payback. Additionally, inspectors expressed concern over the health of the building because of moisture retention in homes with tight insulation.

Although building inspectors agreed that there were plenty of HERS raters, and the contractors added less than \$2,000 to the overall project cost, there was an impression that it is easier to

achieve an adequate HERS score for bigger homes than for homes sized as starter homes. This seemed contradictory, because smaller homes are by nature less energy intensive over the life span of the home. Other building inspectors thought there was a “sweet spot” of home size that was easy to get a proper HERS score.

Inadequate supply of building inspectors

Building inspectors noted that there are not enough building commissioners and building inspectors in the state. It is very hard to find candidates who are certified or eligible to be certified, and the Massachusetts Board of Building Regulations and Standards (BBRS) is not supporting the creation of new ones. They noted the following difficulties:

- To become a local inspector, you must have the necessary qualifications, then apply to the BBRS to be deemed eligible to take the certification exams. The BBRS meets once a month, and it can take at least 45 days to hear back about eligibility to even apply for the job.
- If eligible, you have six months to take the first exam, then you have another six-month window to take the second and third exams. The BBRS used to provide training and classes to help inspectors pass the exams and be certified, but this is no longer provided.
- Candidates studying for the exams must study on their own and pay for the exams at their own expense.
- To become a building commissioner, another three exams are required. The state does provide some simple “on-boarding” classes for certified inspectors to become commissioners. But this does not help increase the pipeline of available inspectors, for which there is a much larger need and a very small pool of eligible applicants.
- The state’s regulations do not allow reciprocity between states if you are certified through the state process. Those who take or have taken the International Code Council (ICC) certification can be certified in other states.

Local market conditions

The economics of Franklin County is more depressed than other places in the state. The region has never fully recovered from the Great Recession of 2008 and 2009 and the pace of housing production since then has been very slow. With building material and labor costs just as high elsewhere in the state, but with sale prices lower, developers have not been particularly active in Franklin County. At the same time, lower salaries in the region make home building and home ownership out of reach for many.

Other Housing-Related Issues Identified

Table 110 “Schedule for Periodic Inspection of Existing Buildings” 780 CMR, 110.7 specifies that the common areas of multifamily dwellings be inspected by the building inspection once every five years, and it is the building owner that is responsible for making sure this happens.

Communities with a sizable number of multifamily dwellings report that this multi-family dwelling inspection requirement is difficult to accomplish with the current staffing level. One building commissioner noted that the quality of multifamily housing suffers because of the lack of municipal funding for staffing.