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Town of Tyngsborough

# Housing Production Plan for 2025-29

## Town of Tyngsborough Housing Production Plan for 2025-2030

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### Town of Tyngsborough

Colin Loiselle, Town Manager  
Benjamin McClure, Town Planner

### Select Board

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Ronald Keohane, *Clerk*  
Mike Moran  
Jackie Geilfuss

### Planning Board

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Jeremy Baldwin  
Chaz Doughty  
Kimberly D. O'Brien  
Michael Page, *Alternate*

### Affordable Housing Trust

Colin Loiselle,  
Sothea Chiemruom  
Jackie Geilfuss  
Kimberly O'Brien, *Chair*

### NMCOG

Jennifer Raitt, Executive Director  
Isabel Emmet, Regional Planner II, Project Manager  
Christopher Glenn Hayes, Housing and Economic Development Program Manager  
Carlin Andrus, GIS and Data Program Manager  
Michael Asciola, Senior Planner – Housing and Land Use

*Outside Cover Photos, from Top to Bottom: 60-62 Sherburne Ave, Chelmsford Housing Authority; Tyngsboro Crossing, Doherty Properties; Tyngsborough Center, Town of Tyngsborough*

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# Executive Summary

## A. Why Plan for Housing?

### 1. What is Tyngsborough's Housing Production Plan?

A housing production plan is an opportunity to gather input from residents across the community to build consensus on tackling housing challenges and capitalizing on opportunities. It aligns the efforts of community-based organizations, state agencies, private developers, and the community itself. It also plays important regulatory functions, including providing preferred status for certain state grants. This plan identifies Tyngsborough's housing needs and serves as a guide for which strategies can address those challenges, but it does not change Tyngsborough's policies itself. The Town must take additional steps to implement strategies which may include additional public processes.

Many changes in Tyngsborough's housing policy and housing stock have happened in the last five years, including the construction of a new 100-unit subdivision by Toll Brothers and the adoption of a new overlay district in compliance with the MBTA Communities Law (Section 3A of MGL c. 40A.) With that in mind, the Town of Tyngsborough asked the Northern Middlesex Council of Governments (NMCOG) to assist with a housing planning process that included three phases over 2024:



The process allowed the Town to “take a breath” after its period of change and learn about the housing challenges Tyngsborough residents still face, to “take stock” of whether and how recent changes might address those challenges and decide what goals remain, and to “talk about what’s next” and develop concrete strategies for next steps to build from Tyngsborough’s progress.

This resulted in a five-year plan covering the time period from April 2025 to April 2030. The plan is a roadmap and does not change policy; the Affordable Housing Trust, the Planning Board, the Select Board, and Town staff must take actions to implement the plan. These steps, along with lead and partner departments, boards, or agencies are outlined in **Table 1: Implementation Guide**.

However, the plan isn’t just for town officials! The plan advertises to developers the types of homes the Town needs and the places where it feels affordable housing is best situated. It also helps state and regional agencies understand the Town’s goals and priorities so that they can work together with the Town to achieve shared goals.

The process allowed the Town to “take a breath” ... and learn about the housing challenges Tyngsborough residents still face

## 2. What is the Regulatory Benefit of a Housing Production Plan?

Housing Production Plans are rooted in the Massachusetts Regional Planning Law, Chapter 774 of the Acts of 1969, also known as Chapter 40B of the Massachusetts General Laws (M.G.L.). In meeting the Chapter 40B statute and regulation for affordable housing production, the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) requires that each municipality develop a five-year plan consisting of a Comprehensive Housing Needs Assessment, Affordable Housing Goals, and Implementation Strategies. It must have a goal of reaching 10% of the Town's total year-round housing units on its Subsidized Housing Inventory (SHI). **As of 2020, the Town had 4,622 year-round housing units, meaning it has a goal of 462 SHI units.**

The development and approval of a local HPP is an integral component of achieving “**safe harbor**” status. Safe harbor refers to conditions under which a Zoning Board of Appeals (ZBA) has greater power in controlling future Comprehensive Permit projects because a decision by the ZBA to deny an application will be considered “consistent with local need,” and upheld by EOHLC’s Housing Appeals Committee (HAC).

One way of reaching “safe harbor” is reaching the 10% goal. **In January 2025, the Town’s SHI count was 500 units, or 10.8% of the 2020 year-round housing units.** Because Tyngsborough has exceeded the 10% statutory minima, the state’s Housing Appeals Committee (HAC) is required to uphold decisions by the Zoning Board of Appeals on Comprehensive Permit projects as “consistent with local needs.”

If a Town has surpassed the state’s 10% goal or is in Safe Harbor, it has more control over Comprehensive Permit developments. It can proactively work with land owners and developers to create concepts that will help meet the needs of the community as explored in the HPP. With this status, a Town can choose to permit only the Comprehensive Permit developments that are in ideal locations and provide the type of housing that the town most needs. This is sometimes called “Friendly 40B,” because the Town and the developer are working together to develop a win-win proposal. Desired attributes and location of such housing are described in **Chapter 4, Implementation Strategies**. Staying over the 10% goal and maintaining a HPP helps the Town maintain this level of control and meet the Town’s affordable housing needs.

In addition to “Friendly” Comprehensive Permit projects, the Town may continue to add SHI-eligible housing by the Local Incentive Program (LIP) and other means. Critically, the Town is striving to fill gaps between the affordable housing supply and housing demand that still exists, providing accessible and affordable housing to community members with a range of incomes, household characteristics, and demographic qualities. The state has a goal for towns to increase their SHI units by 0.5% of year-round housing units annually. **The 0.5% goal for Tyngsborough is 23 units in a single calendar year.** These goals are integrated into this HPP.

### Tyngsborough's Subsidized Housing Goals

#### 2020 Year-round Housing

##### Units:

4,622

##### SHI Goal:

462 Units

##### Current Number:

500 SHI Units

10.8% of total 2020 units

##### Annual 0.5% Goal:

23 SHI Units

### 3. How was the Tyngsborough Community Involved in the Plan's Creation?

Public Engagement for this plan had two key goals:

1. Incorporate the voices of both renters and owners in Tyngsborough
2. Educate the public on what a HPP is and why it is important, highlighting the benefits of housing planning

To accomplish this, public engagement was crafted to meet residents where they are at, create fun and engaging opportunities, and target those who are harder to reach and who may not have been part of previous discussions.

#### 3.1. Phase 1: “Take a Breath”

During Phase 1, NMCOG staff focused on answering the question: “What housing challenges exist in Tyngsborough?” This included May kickoff meetings with the Tyngsborough Affordable Housing Trust, Tyngsborough Select Board, Tyngsborough Planning Board, and Tyngsborough staff. It also included a housing tour in June with town staff. During these initial steps, stakeholder groups were identified, including both homeowners and renters.



NMCOG staff and volunteers from the Tyngsborough Affordable Housing Trust then tabled at two events: Block Party by the Bridge on August 24, and the Equinox Celebration on September 20<sup>th</sup> at the Center for Active Living. A brief survey about housing challenges was circulated at both events and online. Among the 56 survey responses, commonly cited challenges were high housing and utility costs, accessibility, and housing size (either too big or too small). Attendees at the Equinox Celebration expressed frustration at having to wait so long to hear back about the results of their housing applications, and years-long wait times for affordable housing were frequent topics of conversation at both events. There were also many questions about how Accessory Dwelling Units may play a role in addressing housing challenges.

#### 3.2. Phase 2: “Take Stock”

Phase 2 started in October. The critical questions in this phase were, “What is our current housing situation and what is our housing vision?” To answer the first question, NMCOG undertook analysis of demographic and housing trends informed by the initial feedback from Phase 1.

To answer the second question, NMCOG presented the results of Phase 1 outreach and this analysis at meetings of the Affordable Housing Trust and the Select Board on October 7. Feedback from these appointed and elected officials included goals of providing homes for adult children currently living at parents’ homes; developing new forms of housing in the overlay MBTA Districts; developing mixed-use housing that includes easy access to retail; meeting people where they are at and receiving diverse input; supporting seniors; and providing stability for renters. At the end of this phase, the plan’s eight goals had been developed.

### **3.3. Phase 3: “Talk About What’s Next”**

Phase 3 lasted from the Affordable Housing Trust Meeting on November 14 until the completion of the plan. At that meeting, the Affordable Housing Trust discussed zoning strategies, as that appeared to be the largest hurdle to addressing the goals. It also explored the need for increased coordination among the local boards on housing development. Strategies were further explored at a Housing Forum at the Center for Active Living on November 20, 2024. Two members of the Planning Board provided critical input at this meeting. Finally, an online public survey in early 2025 focused on evaluating support and prioritizing draft strategies, receiving 69 responses. The results of this survey were utilized to prioritize the strategies and make adjustments to the actions.

## B. What is Affordable Housing?

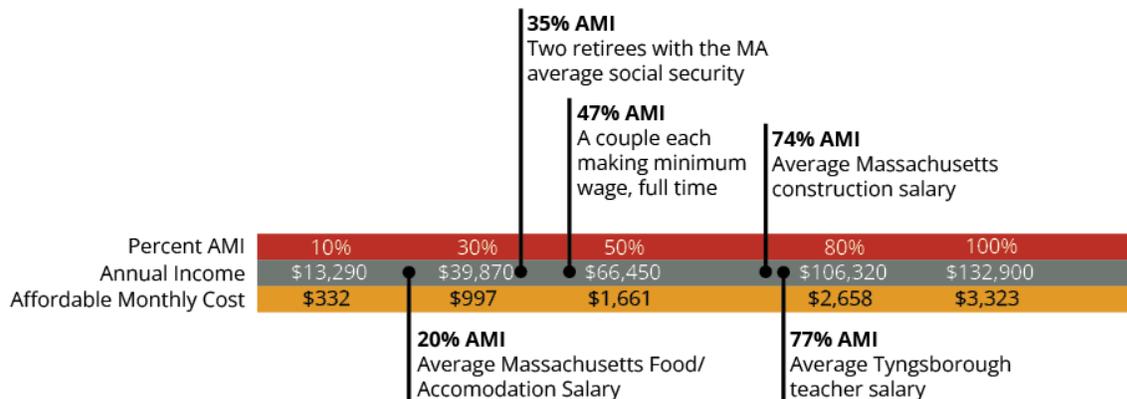
### 1. What is Area Median Income (AMI) and income categories?

Enhancing affordable housing in Tyngsborough will directly benefit many of our neighbors who are already living here but struggling to make ends meet. An important measure in affordable housing is **Area Median Income (AMI)**. When setting income limits for affordable housing eligibility, agencies often use Area Family Median Income set by the U.S. Department of Housing and Urban Development (HUD).<sup>1</sup> This is the median of all family before-tax incomes in the Greater Lowell region. Note that HUD Area Median Income is different from Tyngsborough’s Median Income, which is higher. According to HUD:

**Median Income**  
**HUD Area Median Income:**  
 \$132,900  
**Tyngsborough Median Income:**  
 \$145,260

- **“Extremely low income”** households earn 30% or less AMI;
- **“Very low income”** households earn between 31% and 50% AMI;
- **“Low income”** households earn between 51% and 80% AMI; and
- **“Moderate income”** households earn between 81% and 100% AMI.

**Figure 1: Examples of income levels in Tyngsborough, proportion AMI, and affordable monthly cost**



Sources: 2024 HOME Income Limits, U.S. HUD; MA Labor Market Information (ES-202); MA School and District Profiles, Department of Education; 2023 Social Security Statistical Supplement.

This means that a typical unit restricted to households with incomes of 80% AMI is affordable for a household with an average construction or teacher salary. A unit with a 50% AMI limit would be affordable for a couple each making minimum wage. A household with income limited to the average social security payment or food/accommodation salary would likely need a voucher-based subsidy to attain housing that is affordable to them. For reference, Tyngsborough’s **median rent is \$1,876** and **median sales price is \$625,000, which would result in a monthly cost of \$5,060.**<sup>2</sup>

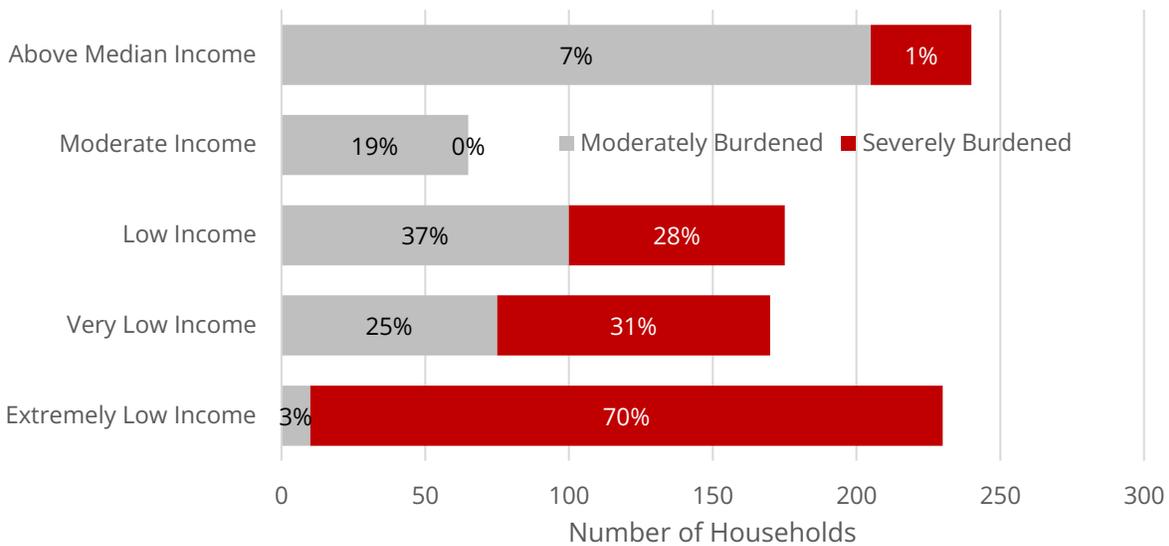
<sup>1</sup> HUD has a formula for determining income thresholds based on a special measure of AMI it takes called the HUD Area Median Family Income (HAMFI). This HPP will use the terms HAMFI and AMI interchangeably unless otherwise noted. HUD also utilizes special formulas for income categories so that households making more than U.S. Median income are not eligible.

<sup>2</sup> Median rent is based on 2018-22 American Community Survey. Sales price utilizes Nedwallet mortgage loan calculator, assuming 10% down, 7% interest rate, current tax rate, and \$2,000 annual home and mortgage insurance costs.

## 2. What is considered affordable?

There are several definitions of affordable housing in the United States, and it means different things to different people. This plan uses the U.S. Department of Housing and Urban Development (HUD)'s definition: a home is affordable to a household if its costs do not exceed 30% of the household's annual pretax income.<sup>3</sup> When a household pays more than 30% of its income on housing-related costs, HUD considers it **moderately burdened** by housing; households spending 50% or more of their income on housing are considered **severely burdened**.

**Figure 2: Housing Cost Burden in Tyngsborough by Income Level, 2017-2021**



Source: Comprehensive Housing Affordability Strategy Data 2017-2021.

In the above chart, the length of the bars represent how many households are moderately or severely burdened, and the percentages are the proportion of each category that is moderately or severely burdened. According to the most recent estimate, Tyngsborough had 880 households that were at least moderately housing cost burdened, about 22% of total households. 425 of these were severely housing cost burdened, most of which were in the extremely low-income category. Renters tended to be more often cost-burdened than owners. The following pages explain what types of affordable housing might serve these types of households, and full details including the types of households that are housing cost burdened are in the full Housing Production Plan.

<sup>3</sup> Rental units housing costs are gross rent plus associated utilities. Owner-occupied housing costs are cost of mortgage, property taxes, and insurance. Source: US Department of Housing and Urban Development.

### 3. What types of affordable housing are there?

There are many types of affordable housing. Firstly, homes can be what planners call **naturally affordable**. These homes may be older or smaller than more expensive homes, but their monthly costs are less than 30% of their owners' or renters' monthly income. The development of newer homes is important to maintaining the number of these "naturally affordable" homes, because as the newer homes age, they become naturally affordable.

Homes can also be affordable because they are **subsidized**. Subsidized units are generally restricted to a certain **Area Median Income (AMI)** and public or private funds make up the difference between the market rate and an affordable rent or sales price.

The subsidies do not go to the individual households – they are provided to developers or property owners in return for making the homes affordable. There are several different types of subsidized housing which is explained below. If it meets certain conditions, subsidized housing can be put on the state's Subsidized Housing Inventory (SHI) and count toward the state's 10% SHI goal for Tyngsborough.

To avoid confusion, this plan will call both types of affordable housing--naturally affordable market-rate and subsidized--"achievable". Because Tyngsborough has many housing challenges, this plan considers actions related to all achievable housing, whether it is market-rate or subsidized.

In summary, the types of achievable housing include:

**Public/Voucher-based:** To assist the lowest income categories, state or federal programs usually provide vouchers to housing authorities, who then can distribute them to qualifying households as "mobile vouchers" or to specific units in projects as "project-based vouchers." These vouchers cover the difference between 30% income and fair market rent for incomes 0%-80% AMI.

Mobile vouchers can be used by a household to help pay for any unit that meets federal criteria. They can't have a higher rent than the fair market rent calculated by HUD.

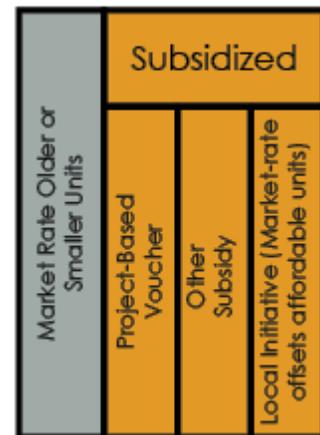
Project-based vouchers pay the difference between 30% of the tenant's income and fair market rent for any qualifying household that lives in that unit.

**Other subsidized:** Units that utilize state funds from agencies such as Masshousing or low-income housing tax credits tend to have an income limit between 50%-80% AMI.

**Local Initiative:** Units that are offset by market-rate rents in the same project are called Local Initiative Program units. They usually, but not always, have an income limit of 80% AMI.

**Naturally affordable:** Smaller housing types, starter homes, or older housing, which in a well-functioning market should ideally be affordable to 80%-120% AMI.

Figure 3: All Achievable Housing



#### 4. What is the Subsidized Housing Inventory?

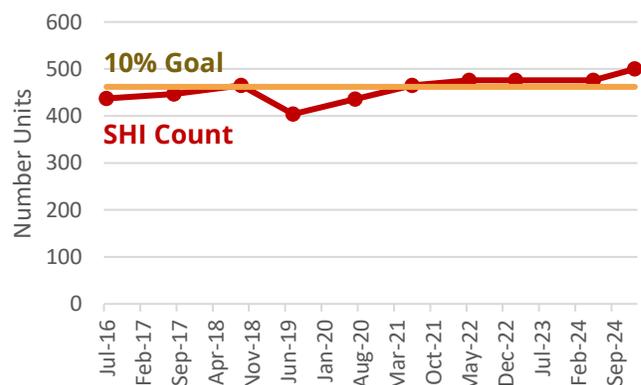
In assessing a community's progress toward the 10% affordability goal, EOHLC counts all housing units that are subsidized by state or federal programs that support low- and moderate- income households at or below 80% AMI. If a new unit is permitted or built that meets these criteria, the Town may apply for it to be on the Subsidized Housing Inventory (SHI), counting toward the 10% goal and the 0.5% annual safe harbor goal. Unit(s) are considered eligible for the SHI if they meet the following criteria:

1. The unit is administered by an approved housing program listed in the *Department of Housing and Community Development (DHCD) [now EOHLC] M.G.L. Chapter 40B Guidelines*<sup>4</sup> or receive Local Initiative Program "LIP" approval;
2. The unit is restricted to households with income not exceeding 80% of the AMI and subject to certain asset limitations;
3. The unit cost, inclusive of utilities, must not exceed 30% of monthly income for households not exceeding 80% AMI adjusted for household size for rental units, and housing costs inclusive of principal, interest, property taxes, and other selected costs must not exceed 38% of monthly income for homeownership units (subject to other restrictions);
4. The unit includes a use restriction that runs with the land for 15-30 years minimum and has several minimum standards; and
5. The unit meets fair housing laws and EOHLC requirements through an approved Affirmative Fair Housing Marketing Plan.

In a rental development, if at least 25% of units are to be occupied by Income Eligible Households earning 80% AMI or less, or alternatively, if at least 20% of units are to be occupied by households earning 50% AMI or less, then all of the units in the rental development are eligible for the SHI. This provision is intended to promote rental units, which are under-provided in many towns.<sup>5</sup>

The figure to the right illustrates the change in Tyngsborough's SHI. In 2016, it had 437 units. Due to a delay in construction in 2019, 60 units for Merrimac Commons were removed, then added back when they were constructed. More recently, Sherburne Ave added 16 units. Tyngsborough's SHI total is now 500 units or 10.8%. Though this is above the 10% goal, the Town still has housing needs that could be helped by providing additional affordable housing units.

**Figure 4: Tyngsborough's Subsidized Housing Inventory (SHI), 2011 – 2023**



<sup>4</sup> DHCD became EOLHC in 2023. This report will use whichever name is printed on the cover page of any publication for clarity.

<sup>5</sup> DHCD Guidelines for MGL 40B Comprehensive Permit Projects, Subsidized Housing Inventory, DHCD (now EOLHC), updated December 2014, and based upon Regulatory Authority 760 CMR 56.00.

## C. Housing Demand and Housing Supply: Comprehensive Needs Assessment

The Comprehensive Housing Needs Assessment is meant to analyze existing and projected housing demand against existing and projected housing supply, including the resources available to the town and the constraints facing the town. It guided the creation of the rest of the plan. Seven major findings came from the Comprehensive Housing Needs Assessment, summarized below:

### **Housing prices are rising faster than median incomes.**

Between 2013 and 2022, the Median Home Sales Price increased by roughly 40% (up to \$625,000). By contrast, Median Income only increased by slightly more than 20% (up to \$145,260 per year). Income growth has not kept up with the growth of housing prices. There is a supply shortage of 381 housing units valued at \$50k-\$149,999 – this means that an estimated 381 households in Tyngsborough could not buy a house at today's prices if they didn't already own one.

### **There is a need for homes to serve the 400 households that are severely cost-burdened households, most of them extremely low income.**

Households are considered "housing cost burdened" if they pay more than 30% of their income on rent or mortgage and utilities and "severely housing cost burdened" if they pay more than 50%. An estimated 400 households, nearly 10% of Tyngsborough's total households, are severely cost burdened. Most of those are extremely low income. This is partly because there is also a supply shortage of 286 rental units with rates at \$600-\$1,249 monthly. Many of these estimated 286 households rent more expensive units not because they can afford them, but because they are the only ones available, leaving little to save for down payments or emergencies. This was also reflected in public outreach, as many Tyngsborough residents cited concerns about long wait list times for affordable housing.

### **There is a need for homes that are attainable for young people to establish new households.**

The population between 15-34 years old increased by 7% between 2000 and 2020, but the number of households headed by people in that age group decreased by 40% during that same time, meaning that young people are finding it harder to move from their parents' homes into homes of their own.

### **There is a need for homes that are affordable to the town's workforce, which is largely at or below 80% Area Median Income.**

Average incomes in fields such as K-12 education and construction fall below 80% Area Median Income (AMI) for the Town of Tyngsborough. A couple working full-time making minimum wage falls at 47% AMI. The demand for homes that are affordable to 80% AMI is reflected in the number of applications for a recent development's 80% AMI affordable units: 31 households applied for just four affordable units.

### **Although the number of duplexes and multifamily units have increased, there is need for additional housing choice, including smaller and more accessible units.**

Single-family residential development takes up 3,234 parcels out of the Town's total 4,146, making

up 78% of the Town's land. A total of 177 parcels covers mixed-use and multifamily zoning, only 4.2% of the Town's land area. However, the demand for smaller and accessible units is growing as families age – Tyngsborough's most quickly growing household type is seniors living alone (from 183 households to 406 between 2000 and 2020). Smaller units can also serve younger families as the average household size drops. This demand is reflected in Tyngsborough condominium sales prices growing more quickly than the state (inflation-adjusted \$273,946 in 2014 to \$400,000 in 2023).

**There is a need for support for the Town's most vulnerable, including those at risk of eviction.**

Tyngsborough saw a rate of 54.01 eviction filings per 1,000 renters, the highest in the NMCOG region between April and September 2024. This is the third-highest rate in the state, after the City of Randolph and the Town of Berlin. In addition, Tyngsborough has a smaller proportion of rental housing stock compared to Greater Lowell and the Commonwealth of Massachusetts, creating fair housing concerns.

**Housing development can and should advance the Town's Master Plan Goals.**

Tyngsborough's 2021 Master Plan included goals including Climate Change Resiliency, Protection of natural resources with special emphasis on the Merrimack River and wildlife habitat, creating an interconnected network of pedestrian and bicycle facilities, and more. Public comments reaffirmed these goals alongside the need to address housing affordability. Housing production can advance these goals through smart growth and principles that incorporate protection of and public access to natural assets while increasing the amount of attainable housing stock.

## **D. What Tyngsborough Wants to Achieve: Affordable Housing Goals**

Based on the above findings and public outreach, NMCOG and Town representatives developed a set of eight Affordable Housing goals. These goals collectively are designed to address constraints and meet the needs identified in the six findings. The goals are as follows:

- Goal 1:** Maintain and Produce 23 Subsidized Housing Units Annually
- Goal 2:** Diversify Housing Production
- Goal 3:** Strategically Guide Production by Increasing Areas Allowing a Variety of Housing Types
- Goal 4:** Increase Number and Attainability of Units Affordable to Households that Make Low-, Very Low-, and Extremely Low-Incomes
- Goal 5:** Provide Options for First-Time Homebuyers
- Goal 6:** Increase the Number of Accessible Units
- Goal 7:** Foster Housing Growth that Meets Housing Needs while Promoting Environmental Sustainability
- Goal 8:** Affirmatively Further Fair Housing Across Tyngsborough and Assist the Most Vulnerable

Each of the above goals have tracking indicators described in **Chapter 4: Housing Goals**.

## E. How Tyngsborough Plans to Meet its Goals: Implementation Strategies

The final chapter of the plan details the following:

- A. **Implementation Strategies**, which are specific actions the town or other agencies may undertake to meet the goals articulated in the previous section;
- B. **Attributes of Proposed Residential or Mixed-Use Developments**, which is a list of attributes such as performance standards and location to guide siting and features of housing development;
- C. **Proposed Modifications to Zoning Districts**, which is a list of Implementation Strategies that modify zoning;
- D. **Land with Potential for Affordable Housing**, which are lists of specific parcels chosen based on the attributes described in Subsection B that the town will encourage Comprehensive Permit (40B) developments or will pursue issuing Requests for Proposals (RFPs); and
- E. **Regional Collaborations**, which is a list of Implementation Strategies that will require or would benefit from regional collaborations.

These include 26 specific, actionable strategies the Town or its partners may undertake over the next five years. They will require information gathering, analysis, study, and community process prior to their implementation. The lead agency and partners listed for each strategy should work together in public processes to undertake the studies, determine whether and how the strategy could best address Tyngsborough’s goals, and build consensus on the appropriate actions. The target completion date represents the year the town aims to complete studies and undertake strategies. However, these dates should be considered targets that may be adjusted as necessary.

Strategies are further described in detail in **Chapter 4: Implementation Strategies** of the full plan.

**Table 1: Implementation Guide / Action Plan**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
<b>Policy and Investment Strategies</b>					
1.1	Encourage Comprehensive Permit (40B) developments that meet the attributes described in section 4.C, especially those on the list in section 4.E.	All	Planning Board, Affordable Housing Trust	Medium	Continuous starting Fall 2025
1.2	Develop connections between sites with existing affordable housing, potential for affordable housing, or high concentrations of housing to open space, services, and jobs. Include pedestrian, bicycle, and transit connections.	3, 7	Town Staff, Planning Board, CPC, Recreation	High	Continuous starting Summer 2025

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
1.3	Investigate the feasibility of allowing Transportation Demand Management (TDM), bicycle parking, or other transportation alternatives in lieu of required parking minimums to encourage a multimodal system that works for all types of users.	7	Planning Board	Low	2030
1.4	Maintain the Subsidized Housing Inventory list, keeping records of regulatory agreements, deed restrictions, home and rental prices, and other unit data.	1	Town Staff	High	Continuous, Already on-going
1.5	Promote and incentivize the development of Americans with Disabilities Act (ADA) and universally accessible housing units.	6	Commission on Disability, Planning Board	High	Continuous starting Fall 2025
<b>Zoning Strategies</b>					
2.1	Amend the Zoning Bylaw to allow mixed use and multifamily housing as of right or by special permit in the Industrial 1 Light District, paying attention to conflicts with neighboring land uses.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030
2.2	Study other areas in which the zoning could be adjusted to allow the production of single-family attached units, duplexes, triplexes, quadruplexes, and apartments.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030
2.3	Create a new residential zoning district with smaller minimum lot size and dimensional requirements near the Town Center and Mixed-Use Overlay Districts	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board, Historical Commission	Low	2030
2.4	Update the zoning bylaw to comply with the 2024 amendments to M.G.L. c.40A, the Zoning Act of the Commonwealth of Massachusetts, allowing accessory dwelling units (ADUs) in single-family zoning districts by right	2, 3, 4, 7	Town Staff, Planning Board	High	2025

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
2.5	Revise the Open Space Residential Development Bylaw	2, 3, 7	Zoning Board of Appeals, ConCom, Planning Board	Medium	2026
<b>New Plans or Studies</b>					
3.1	Undertake planning and study to encourage the development of multi-family housing at the Northwest Middlesex Road and Pheasant Lane Mall Parking Area Subdistricts approved as MBTA Communities Districts.	1, 2, 3, 7	Affordable Housing Trust, Planning Board, Town Staff, Private Landowner	Medium	Continuous, Already on-going
3.2	Monitor the Town's Inclusionary Housing zoning and conduct a market study to fine-tune the zoning every 5 years to amend and leverage the bylaw to make affordable housing.	1, 2, 4, 5	Town Staff, Planning Board	High	Begin study in 2028 for possible 2029 amendment
3.3	Work with NMCOG, the LRTA, and MBTA to evaluate potential service expansion, including a better understanding of desired destinations of those living in areas of high concentrations of housing and coordination with regional bus and rail.	7	Town Staff, LRTA, Select Board	High	Continuous, Already on-going (Discussion planned for 2026)
<b>Affordable Housing Trust Investments and Activity</b>					
4.1	Build partnerships between the AHT and nonprofit and state agencies through regular meetings.	All	Affordable Housing Trust, Town Staff	High	Continuous, Launch effort in Summer 2024
4.2	Study and potentially implement partnerships to create Tyngsborough-focused First Time Homebuyer and/or Emergency Rental Assistance programs with regional partners.	4, 5	CPC, Town Staff, Affordable Housing Trust	High	2025
4.3	Develop a 5-year action plan for the AHT utilizing the priorities of this plan	1, 4, 6	Affordable Housing Trust	High	Launch effort in 2025 for completion in 2026
4.4	Increase coordination with the Tyngsborough Housing Authority to maintain current properties and potentially expand its inventory.	1, 2, 4, 6	Affordable Housing Trust	High	Continuous immediately upon adoption of HPP
<b>Public Outreach, Education, and Board Development</b>					

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
5.1	Coordinate planning efforts for multiple committees through annual all-committee meetings to build shared goals	All	Town Staff	High	Continuous immediately upon adoption of HPP
5.2	Promote the creation of Accessory Dwelling Units through outreach and education	2, 3, 6, 7	Building Department, Planning Board	Low	Continuous, Already on-going
5.3	Participate in the At Home in Greater Lowell Regional Housing Strategy, building upon its regional coordination and storytelling	2, 5, 7, 8	Town Staff, Planning Board, Select Board	High	2025
5.4	Encourage or require land use committees such as the Planning Board and Zoning Board of Appeals to participate in annual fair housing training	8	Planning Board, Zoning Board of Appeals	High	Continuous, Launch effort Summer 2025
5.5	Work with Northern Middlesex Council of Governments (NMCOG) to participate and support a dashboard updated annually of Home Mortgage Disclosure Act (HMDA) data and Massachusetts Commission Against Discrimination (MCAD), including collaboratively determining key metrics to track, and share these data via the Town website and other channels.	8	Town Staff	Low	Continuous starting 2026
5.6	Maintain and promote a list of banks and nonprofits that support or provide education and resources for first-time homebuyers.	5	Affordable Housing Trust, Tyngsborough Housing Authority	High	Continuous starting 2025
5.7	Provide proactive guidance to housing developers on the Town's inclusionary housing policy.	1	Town Staff, Planning Board	High	Continuous immediately upon adoption of HPP
5.8	Promote water and energy conservation programs.	7	Conservation Commission, Sustainability Committee	Low	Continuous, Already on-going
5.9	Provide information about regional and community-based services to people at-risk of or experiencing housing instability, including foreclosure, eviction, and legal assistance.	5, 8	Town Staff, Affordable Housing Trust, Housing Authority	High	Continuous starting Fall 2025

# CHAPTER 1

## Introduction

## A. Statement of Purpose

The development of housing that is accessible and affordable to community members with a range of incomes, household characteristics, and demographic qualities is critical to successful and sustainable community planning. Accordingly, the Town of Tyngsborough aspires to continue its strong record of proactively planning for housing options. The *Tyngsborough Housing Production Plan for 2025-2030* aims to advance that goal, complimenting and building upon the previous *Housing Production Plan for 2020-2024* and the *Tyngsborough 2021 Master Plan*. It serves as a framework for considering Comprehensive Permit projects, zoning changes, Affordable Housing Trust (AHT) expenditures, Community Preservation Act (CPA) fund expenditures, and other actions the Town and its partners can undertake to increase the supply of affordable housing.

The format of a Housing Production Plan (HPP) is rooted in the Massachusetts Regional Planning Law (Chapter 774 of the Acts of 1969, also known as Chapter 40B of the Massachusetts General Laws), enacted in 1969. This law is designed to “increase the supply and improve the regional distribution of low- or moderate-income housing by allowing a limited override of local requirements and regulations which are inconsistent with local and regional affordable housing needs”.<sup>6</sup> The law allows a Zoning Board of Appeals to grant a “**Comprehensive Permit**” which integrates all local approvals into a single permit, typically permitting additional density than the zoning would normally allow. In some cases, the state has the power to override a local decision on a Comprehensive Permit project.

While many residents understand the critical need for more affordable housing options in Tyngsborough and across the region, housing developments proposed via the Comprehensive Permitting process are sometimes controversial. Consequently, this HPP seeks to build consensus and create an agreed-upon strategy adopted by the local Planning Board and Select Board for promoting affordable and accessible housing in areas and forms that will enhance the community.

The HPP also serves an important regulatory function: the development and approval of a local HPP is an integral component of achieving “**safe harbor**” status. Safe harbor refers to conditions under which a Zoning Board of Appeals (ZBA) has greater power in

### HOW DOES EOHLC DEFINE AN HPP?

The Massachusetts Executive Office of Housing and Livable Communities (EOHLC) defines an HPP as “a proactive strategy for planning and developing affordable housing”. According to EOHLC, “the community should: (1) develop a strategy which will be used to meet its affordable housing needs in a manner consistent with the Chapter 40B statute and implementation requirements; and (2) produce housing units in accordance with its HPP.” Once approved by EOHLC, an HPP is valid for five years.

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<sup>6</sup> *Department of Housing and Community Development (DHCD) (Now Executive Office of Housing and Livable Communities (EOHLC)), 2016*

controlling future Comprehensive Permit projects because a decision by the ZBA to deny an application will be considered “consistent with local need,” and upheld by EOHLIC’s Housing Appeals Committee (HAC). Safe Harbor status includes both *statutory minima* and *regulatory safe harbors*.

### Statutory Minima

Safe Harbor status includes three statutory minima:

- **Housing Unit Minimum:** more than 10% of a community’s total housing units are on the Subsidized Housing Inventory (SHI)
- **General Land Area Minimum:** Sites of SHI-eligible units (pro-rated for partial sites) comprise more than 1.5% of the total land area zoned for residential or commercial or industrial use
- **Annual Land Area Minimum:** Project would result in Low- or Moderate-Income Housing on sites comprising more than 0.3% of the town’s land area or ten acres, whichever is larger, being constructed in one calendar year

It is very rare that the land area minimum thresholds are met. However, as of August 2023, 71 cities and towns met the housing unit minimum. The Town of Tyngsborough’s goal of 10% of the 4,622 year-round housing units recorded in the 2020 U.S. Decennial Census is 462 affordable units. The Town’s latest (February 2023) SHI count was 500 affordable units, or 10.8% of the 2020 year-round housing units. Because Tyngsborough has exceeded the 10% statutory minimum, the state’s Housing Appeals Committee may not overturn decisions by the Zoning Board of Appeals on Comprehensive Permit projects. Every ten years, this goal will be revised upward as the town adds more year-round housing units.

### Regulatory Safe Harbors

Towns may also achieve Safe Harbor through having a “**Certified HPP.**” Communities may apply to have their HPP certified by EOHLIC. A community will be certified in compliance with an approved HPP if, during a single calendar year, it has increased its number of low- and moderate-income year-round housing units by a certain amount. Certification lasts for one year if the community has increased its SHI units by 0.5% of year-round housing units and two years if it has increased its number of SHI units by 1.0%. The 0.5% goal for Tyngsborough is 23 units in a single calendar year, and the 1.0% goal is 46 units in a single calendar year. These goals are integrated into this HPP.

If a town has achieved a safe harbor provision within 15 days of the opening of the local hearing for a Comprehensive Permit, the ZBA must provide written notice and supporting materials to the Applicant (with a copy to EOHLIC) that it believes it can deny the comprehensive permit because Tyngsborough has met a statutory minimum or qualifies under another safe harbor provision. If the

## Tyngsborough’s Subsidized Housing

### 2020 Year-round Housing Units:

4,622

### SHI Goal:

462 Units

### Current Number:

500 SHI Units

10.8% of total 2020 units

Applicant wishes to challenge the ZBA's assertion, it must do so by providing written notice and supportive documentation to EOHLC (with a copy to the ZBA). EOHLC shall thereupon review the materials provided by both parties and issue a decision which may be appealed by either party to the HAC. These steps all have strict deadlines and the ZBA should make sure to fully understand Chapter 40B and the EOHLC 40B Guidelines. Massachusetts Housing Partnership (MHP) developed a guidebook for this purpose in 2017.<sup>7</sup>

## B. Overview of the Tyngsborough Housing Production Plan

To qualify for approval from EOHLC, an HPP must contain three main components: 1) a Comprehensive Housing Needs Assessment; 2) Affordable Housing Goals; and 3) Implementation Strategies.

**1.** The purpose of the **Comprehensive Housing Needs Assessment** is to determine the community context, which relies on demographic, economic, and community development (affordable housing entities, zoning, and infrastructure) data to assess the extent to which the existing housing stock meets the housing needs of a community and the capacity of the community's infrastructure to serve the housing need.

**2.** The **Affordable Housing Goals** section identifies the community's broad objectives for housing, paying special attention to local and regional needs. This section also sets the minimum affordable housing production goal, as determined by the total number of year-round housing units in the most recent Decennial Census. According to the recent revisions to the Chapter 40B requirements, the minimum annual affordable housing production goal is greater than or equal to 0.5% of the year-round housing stock.<sup>8</sup>

**3.** Finally, the **Implementation Strategies** section of the plan builds upon the Affordable Housing Goals section by identifying the desired characteristics of affordable housing, specific sites for the development of affordable housing, municipally owned land which the community has targeted for mixed-income housing, potential zoning changes to support housing production, and regional housing development collaborations.

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<sup>7</sup> Chapter 40B Handbook for Zoning Boards of Appeals, Massachusetts Housing Partnership, March 2017

<sup>8</sup> DHCD Guidelines for MGL 40B Comprehensive Permit Projects, Subsidized Housing Inventory, DHCD (now EOLHC), updated December 2014, and based upon Regulatory Authority 760 CMR 56.00.

## C. How Do we Define Affordable Housing and Income Categories?

There are several definitions of affordable housing in the United States depending on whether one uses Federal or State criteria.

### 1. Defining Affordability through Housing Cost Burden

The United States Department of Housing and Urban Development (HUD) considers housing “affordable” if housing costs do not exceed 30% of a household’s annual income.<sup>9</sup> When a household pays more than 30% of its income on housing-related costs, HUD considers it “**moderately burdened**” by housing; households spending 50% or more of their income on housing are considered “**severely burdened**”.

### 2. Defining Income Categories through Percentage of AMI

An important measure in affordable housing is **Area Median Income (AMI)**. AMI calculations are the most common way of prioritizing households for affordable housing opportunities. HUD has a formula for determining income thresholds based on a special measure of AMI it takes called the HUD Area Median Family Income (HAMFI). This HPP will use the terms HAMFI and AMI interchangeably unless otherwise noted. HUD uses these thresholds for Section 8 and other programs, and EOHLC has adopted these thresholds for many of its programs. According to HUD:

- “**Extremely low income**” households earn 30% or less AMI;<sup>10</sup>
- “**Very low income**” households earn between 31% and 50% AMI;
- “**Low income**” households earn between 51% and 80% AMI; and
- “**Moderate income**” households earn between 81% and 100% AMI.

### 3. Defining Affordable Housing through the Subsidized Housing Inventory

In assessing a community’s progress toward the Commonwealth’s 10% affordability goal, EOHLC counts a housing unit as affordable if it is subsidized by state or federal programs that support low- and moderate- income households at or below 80% AMI. Under Chapter 40B, subsidized unit(s) are considered “affordable” and eligible for the SHI if they meet the following criteria:

1. The unit is administered by an approved housing program listed in the *Department of Housing and Community Development (DHCD) [now EOHLC] M.G.L. Chapter 40B Guidelines*<sup>11</sup> or receive Local Initiative Program “LIP” approval;

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<sup>9</sup> Rental units housing costs are gross rent plus associated utilities. Owner-occupied housing costs are cost of mortgage, property taxes, and insurance. Source: US Department of Housing and Urban Development.

<sup>10</sup> Defined as the greater of 30/50ths (60%) of the Section 8 very low-income limit (in other words, 30% AMI) or the poverty guideline as established by the Department of Health and Human Services (HHS), provided that this amount is not greater than the 50% very low-income limit. (FY 2014 Consolidated Appropriations Act).

<sup>11</sup> DHCD became EOLHC in 2023. This report will use whichever name is printed on the cover page of any publication for clarity.

## HOW DOES THIS HPP DEFINE AFFORDABLE UNITS?

For the purposes of this HPP, “**affordable units**” or “**affordable housing**” will refer to any units that are income-restricted and regulated to cost not more than 30% of the residents’ income. “**SHI units**” will refer to units that meet all the requirements to be listed on the SHI.

2. The unit is restricted to households with income not exceeding 80% of the AMI and subject to certain asset limitations;
3. The unit cost, inclusive of utilities, must not exceed 30% of monthly income for households not exceeding 80% AMI adjusted for household size for rental units, and housing costs inclusive of principal, interest, property taxes, and other selected costs must not exceed 38% of monthly income for homeownership units (subject to other restrictions);
4. The unit includes a use restriction that runs with the land for 15-30 years minimum and has several minimum standards; and
5. The unit meets fair housing laws and EOHLIC requirements through an approved Affirmative Fair Housing Marketing Plan.

In addition, in a rental development, if at least 25% of units are to be occupied by Income Eligible Households earning 80% AMI or less, or alternatively, if at least 20% of units are to be occupied by households earning 50% AMI or less, then all of the units in the rental development are eligible for the SHI. This provision is intended to promote rental units, which are under-provided in many towns.<sup>12</sup>

#### 4. Number of Bedrooms and Age Restrictions

The state’s subsidizing agencies have entered into an Interagency Agreement that provides more guidance to localities concerning housing opportunities for families with children. The agreement requires that at least 10% of the units in affordable production developments that are funded, assisted, or approved by a state housing agency have three or more bedrooms, with some exceptions (e.g., age-restricted housing, assisted living, supportive housing for individuals, single room occupancy (SRO), etc.).

Furthermore, EOHLIC will not add any units that do not allow persons 18 years of age or younger to the SHI. DHCD (now EOHLIC) has stated, “It has long been DHCD [now EOHLIC]’s policy and practice not to approve affordable units under the Local Initiative Program (“LIP”), including Local Action Units (“LAUs”), in age-restricted housing for persons 55 years of age or older (“55+ housing”) if selection or occupancy policies, special permits or other zoning approvals, or underlying zoning would exclude persons 18 years of age or younger from occupying those affordable units.”<sup>13</sup>

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<sup>12</sup> DHCD Guidelines for MGL 40B Comprehensive Permit Projects, Subsidized Housing Inventory, DHCD (now EOHLIC), updated December 2014, and based upon Regulatory Authority 760 CMR 56.00.

<sup>13</sup> Local Initiative Program Policy Regarding Restrictions on Children in Age-Restricted 55+ Housing, DHCD memo, 2018.

According to the Comprehensive Permit Guidelines, “At the discretion of DHCD [now EOLHC], such approval may be withheld (i) if other age-restricted housing units in the community, which have been issued a Determination of Project Eligibility or which have been otherwise approved by the community remain unbuilt or unsold, or (ii) if the proposed age-restricted units, in context with the municipality’s other recent housing efforts, are unresponsive to needs for family housing.”<sup>14</sup>

## D. Our Methodology, Data Sources, and Demographic Definitions.

### 1. Data Sources

The *Tyngsborough Housing Production Plan for 2025-2030* relies on a variety of data sources, such as:

- the U.S. Census Bureau,
- the U.S. Department of Housing and Urban Development (HUD),
- the U.S. Department of Health and Human Services (HHS),
- the Massachusetts Department of Transportation (MassDOT),
- the Executive Office of Housing and Livable Communities (EOHLC), and
- the Northern Middlesex Council of Governments (NMCOG).

The two main surveys referenced are the **U.S. Decennial Census** and the **American Community Survey (ACS)** from the U.S. Census Bureau. It is important to note that differences in sampling methodology, terminology, and timeframe can make it difficult to compare one source to another. For instance, one key difference between the U.S. Decennial Census and the ACS is that the Decennial Census surveys every individual in a community, whereas the ACS samples a subset of the community. This is because the Decennial Census strives to provide precise counts of people for the purpose of Congressional apportionment, whereas the ACS is designed to estimate social and economic characteristics.

These differences in sampling methodology mean that some values, such as the number of households in a community, are reported differently in the ACS versus the Decennial Census. Within the HPP, there will be an attempt to minimize any confusion about these data sources and to note where two different data sources are being used.

### 2. Methodology of Selecting Data Sources

In general, the *Tyngsborough Housing Production Plan for 2025-2030* uses proprietary or local data whenever possible, as this is usually the most accurate and recent data. However, when that data is not available, this plan uses 2020 Decennial Census data. In cases in which relevant data was not included in the 2020 Decennial Census, 2018-22 American Community Survey data is used instead.

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<sup>14</sup> DHCD Guidelines for MGL 40B Comprehensive Permit Projects, Subsidized Housing Inventory, DHCD (now EOLHC), updated December 2014, and based upon Regulatory Authority 760 CMR 56.00.

This plan also utilizes population and household projections prepared by the Massachusetts Department of Transportation (MassDOT), the UMass Donahue Institute, and the Metropolitan Area Planning Commission (MAPC) with input from NMCOG. This team developed projections for every community in Massachusetts for 2030, 2040, and 2050. They are based upon a statewide model that uses the prior five years of data to estimate birthrates, deathrates, and migration rates for each Metropolitan Planning Organization (MPO) region (*see sidebar for the definition of Tyngsborough's region*), to project population and household change, including age, household type, and income categories.

Analysts then assigned that growth to census block groups through a computer model based on the block groups' attractiveness and zoning capacity. The growth would be assigned to the most attractive block group, and once the existing zoning capacity was reached, it would assign it to the next most attractive block group. This means these projections should be considered a "best guess" based on recent historical and existing conditions.

### 3. Definitions of Demographic Terms

It is important to clarify the definitions for terms, such as *housing unit*, *household*, and *family*. The HPP will use the U.S. Census Bureau definitions for each:<sup>15</sup>

**Housing Unit** – A housing unit may be a house, an apartment, a mobile home, a group of rooms or a single room that is occupied (or, if vacant, intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building, and which have direct access from outside the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible. If that information cannot be obtained, the criteria are applied to the previous occupants.

**Household** – A household includes all the persons who occupy a housing unit as their usual place of

## WHAT IS GREATER LOWELL?

It is important to compare Tyngsborough to and analyze the larger region, but different agencies define the "Greater Lowell" region differently, and therefore Greater Lowell statistics will differ depending on the agency producing those statistics.

For the purposes of this HPP, "**Greater Lowell**" will refer to the 9-community region of the Towns of Billerica, Chelmsford, Dracut, Dunstable, Pepperell, Tewksbury, Tyngsborough, Westford, and the City of Lowell. The "**Lowell Metro FMR Area**" is a region delineated by the U.S. Department of Housing and Urban Development (HUD) and includes Greater Lowell as defined above plus the Town of Groton.

<sup>15</sup> "American Community Survey and Puerto Rico Community Survey 2019 Subject Definitions," U.S. Census Bureau, 2019.

residence. [...] The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements. (People not living in households are classified as living in group quarters.)

**Family** – A family consists of a householder and one or more other people living in the same household who are related to the householder by birth, marriage, or adoption. All people in a household who are related to the householder are regarded as members of his or her family. A family household may contain people not related to the householder, but those people are not included as part of the householder's family in tabulations.

**Income Restricted Housing** – Housing in which the rent is capped at an affordable price for households who qualify for it based on income.

**Nonfamily** – A nonfamily household consists of a householder living alone (a one-person household) or where the householder shares the home only with people to whom he/she is not related (e.g., a roommate).

To simplify these definitions, "**housing units**" refers to all residential structures in the community. "**Households**" are all the people who occupy a housing unit, including all family or nonfamily groups. "**Families**" are defined as a group who reside together and are related, whereas "**nonfamily households**" are unrelated, for example, roommates, unmarried couples, or people living alone. For other definitions, consult the U.S. Census Bureau web page at [www.census.gov](http://www.census.gov).

# CHAPTER 2

# Comprehensive Needs Assessment

The Comprehensive Housing Needs Assessment is meant to analyze existing and projected housing demand against existing and projected housing supply, including the resources available to the town and the constraints facing the town. It guides the creation of the rest of the plan and includes the following:

- A. The **Demographic Analysis** illuminates the current and projected housing needs of the population taking into account regional growth factors and includes information on household type and size, age of the population, income, and other demographic factors.
- B. A description of the amount, type, and cost of the **Existing Housing Inventory** includes the existing and projected market-rate and affordable housing.
- C. The **Housing Cost Burden Analysis** compares the income of residents and the cost of housing to determine the affordability gap of the community—in other words, analyzing whether the supply meets the demand. It also includes other housing challenges such as evaluation of fair housing and the physical condition of housing.
- D. The description of existing **Affordable Housing Efforts** includes a list of resources that may be called upon for housing development, setting a baseline for improvement if necessary.
- E. The **Development Constraints and Limitations** section analyzes what may limit housing production in order to identify issues that can and should be mitigated.
- F. Finally, the **Comprehensive Needs Assessment Conclusions** section ties everything together, summarizing the challenges and opportunities the HPP should address.

## A. Demographic Analysis

This section provides an overview of the demographic changes that have occurred in Tyngsborough since the publication of the *Tyngsborough Housing Production Plan for 2020-2024*. It includes analyses of population, households, age cohorts, race and ethnicity, disability status, and income. The purpose of these analyses is to understand how the population characteristics have changed over the past decade and project future growth rates. The data creates a foundation for the goals contained within the HPP.

### FAST FACTS: DEMOGRAPHIC ANALYSIS

- If current trends continue, Tyngsborough's number of households is anticipated to increase to 14,099 by 2030.
- Among nonfamily households, there is an increase of households of two people.
- Households led by people aged 15-34 halved between 2000 and 2020, while households led by those 65 and older more than doubled.

## 1. Population Growth

Tyngsborough’s population is projected to grow steadily, with a significant population jump of 1,719 people, or 13.9%, between 2020 and 2030.

## 2. Households Sizes and Types

Tyngsborough’s number of households is projected to grow steadily, with a 20% household increase between the 2020 Census and 2030, a total of 927 households.

Tyngsborough is predicted to see increases in the number of households until 2040, increasing its households as a percent of the region by 0.6 percentage points.

Households are projected to increase at a faster rate than the overall population as household size decreases, showing a potential need for more but smaller units.

**Table 2: Tyngsborough Population, 2000-2040 (2030-2040 Projection)**

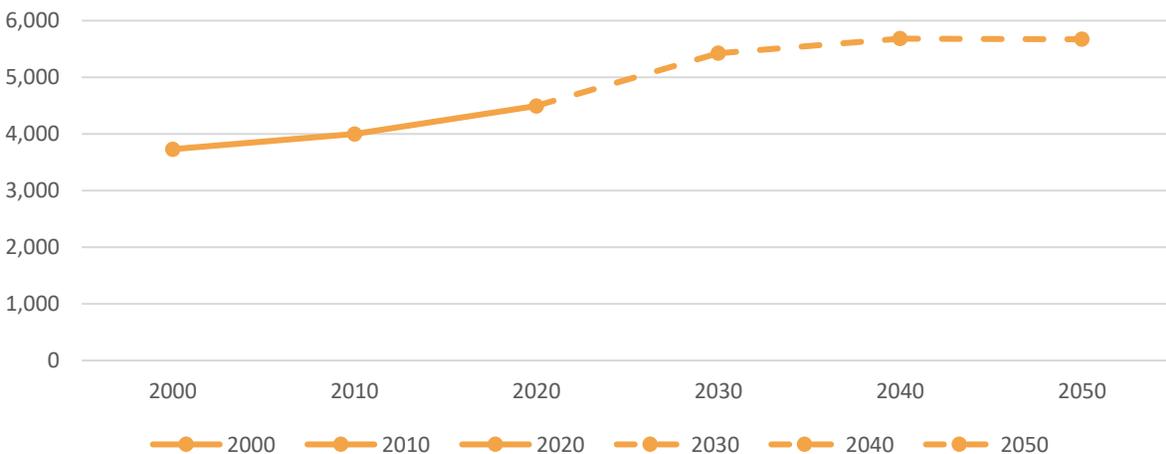
Year	Population
2000	11,081
2010	11,292
2020	12,380
2030*	14,099
2040*	14,367

Source: U.S. Census Bureau, 2000, 2010, and 2020 Decennial Census. \* Indicates projections developed by MassDOT and UMass Donahue Institute with input from NMCOG

**Table 3: Number of Households and Growth, Tyngsborough (2000-2020, 2030-2050 Projection)**

Year	Tyngsborough	Growth Rate	Greater Lowell Region	Growth Rate	Tyngsborough as a Percent of the Region
2000	3,731	15.9%	99,342	10.2%	3.8%
2010	3,999	7.2%	104,022	4.7%	3.8%
2020	4,497	12.5%	116,271	11.8%	3.9%
2030*	5,424	20.6%	122,509	5.4%	4.4%
2040*	5,682	4.8%	125,842	2.7%	4.5%
2050*	5,671	-0.2%	125,065	-0.6%	4.5%

**Figure 1: Number of Households, Tyngsborough (2000-2020, 2030-2050 Projection)**



Source: U.S. Census Bureau, 2000, 2010, and 2020 Decennial Census. \*Indicates projections developed by MassDOT and UMass Donahue Institute with input from NMCOG.

Most family households consist of 2-4 people, indicating reduced birth rates. Among nonfamily households, there is a 21.1% increase of households of two people, totaling 256 households, which could either refer to individuals living as roommates or to caretakers of senior-aged residents.

**Table 4: Tyngsborough Household Size by Number of People (2010 and 2020)**

Household Type	Household Size by Number of People: 2010							Total
	1	2	3	4	5	6	7+	
Family Household	0	1,026	761	832	291	102	45	3,057
Percentage	0%	34%	25%	27%	10%	3%	1%	100%
Nonfamily Household	727	186	22	3	3	1	0	942
Percentage	77%	20%	2%	0%	0%	0%	0%	100%
TOTAL	727	1,212	783	835	294	103	45	3,999
Percentage	18%	30%	20%	21%	7%	3%	1%	100%

Household Type	Household Size by Number of People: 2020							Total
	1	2	3	4	5	6	7+	
Family Household	0	1,260	861	742	315	118	97	3,393
Percentage	0%	37%	25%	22%	9%	3%	3%	100%
Nonfamily Household	867	208	16	10	1	0	2	1,104
Percentage	79%	19%	1%	1%	0%	0%	0%	100%
TOTAL	867	1,468	877	752	316	118	99	4,497
Percentage	19%	33%	20%	17%	7%	3%	2%	100%

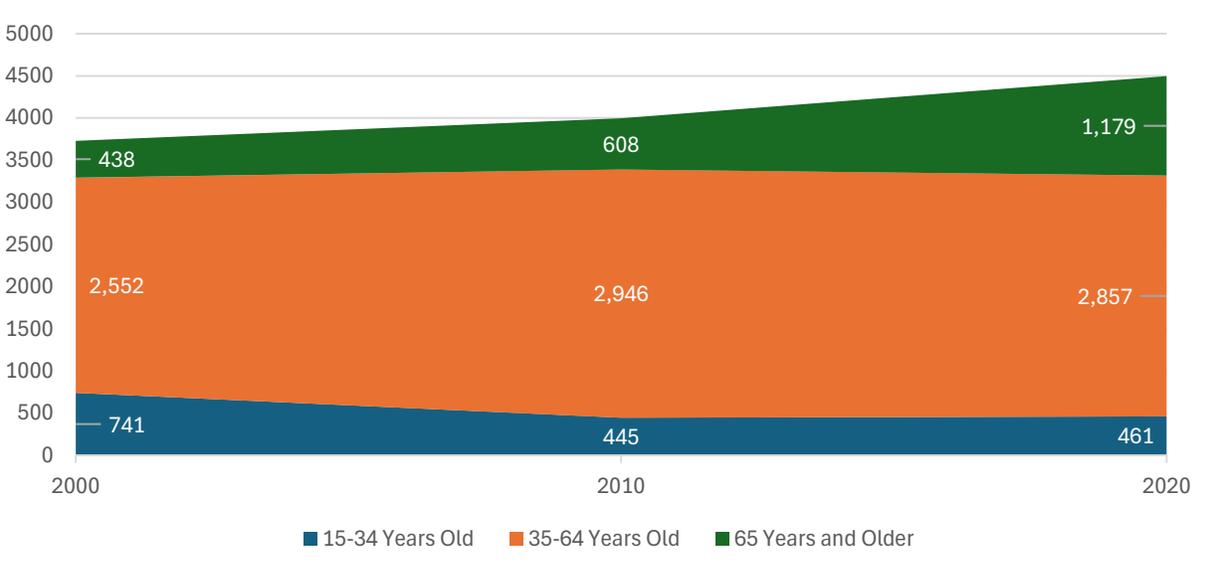
Source: U.S. Census Bureau, 2010 Decennial Census Table P28 and 2018-2013 American Community Survey Table B11016.

Households led by people aged 15-34 halved between 2000 and 2020, while households led by those 65 and older more than doubled. Households led by those aged 35-64 decreased only by 4 percentage points. This indicates that Tyngsborough’s population is aging rapidly. There has also been a 37.8% decline in households, a total of 280, led by residents under 35, both family and nonfamily. According to the data on age cohorts, there has been a 2.7% increase in households with heads of household aged between 20 and 34, totaling 56 households, meaning that fewer young people are forming households—possibly living with parents or relatives because of increased housing prices.

**Table 5: Tyngsborough Head of Household by Age: (2000, 2010, 2020)**

Household Type	2000		2010		2020	
	Number	Percent	Number	Percent	Number	Percent
<b>Family Households</b>						
15-34 Years Old	551	19%	269	9%	278	8%
35-64 Years Old	2,153	73%	2,437	80%	2,381	70%
65 Years and Older	245	8%	351	11%	734	22%
<b>Total Family</b>	<b>2,949</b>	<b>100%</b>	<b>3,057</b>	<b>100%</b>	<b>3,393</b>	<b>100%</b>
<b>Nonfamily Households</b>						
15-34 Years Old	190	24%	176	19%	183	17%
35-64 Years Old	399	51%	509	54%	476	43%
65 Years and Older	193	25%	257	27%	445	40%
<b>Total Nonfamily</b>	<b>782</b>	<b>100%</b>	<b>942</b>	<b>100%</b>	<b>1,104</b>	<b>100%</b>
<b>Total Households</b>						
15-34 Years Old	741	20%	445	11%	461	10%
35-64 Years Old	2,552	68%	2,946	74%	2,857	64%
65 Years and Older	438	12%	608	15%	1,179	26%
<b>Total Households</b>	<b>3,731</b>	<b>100.0%</b>	<b>3,999</b>	<b>100%</b>	<b>4,497</b>	<b>100%</b>

**Figure 2: Head of Household Age Distribution, All Households (2000, 2010, 2020)**



Source: U.S. Census Bureau, 2000, 2010, 2020 Decennial Census Table H14.

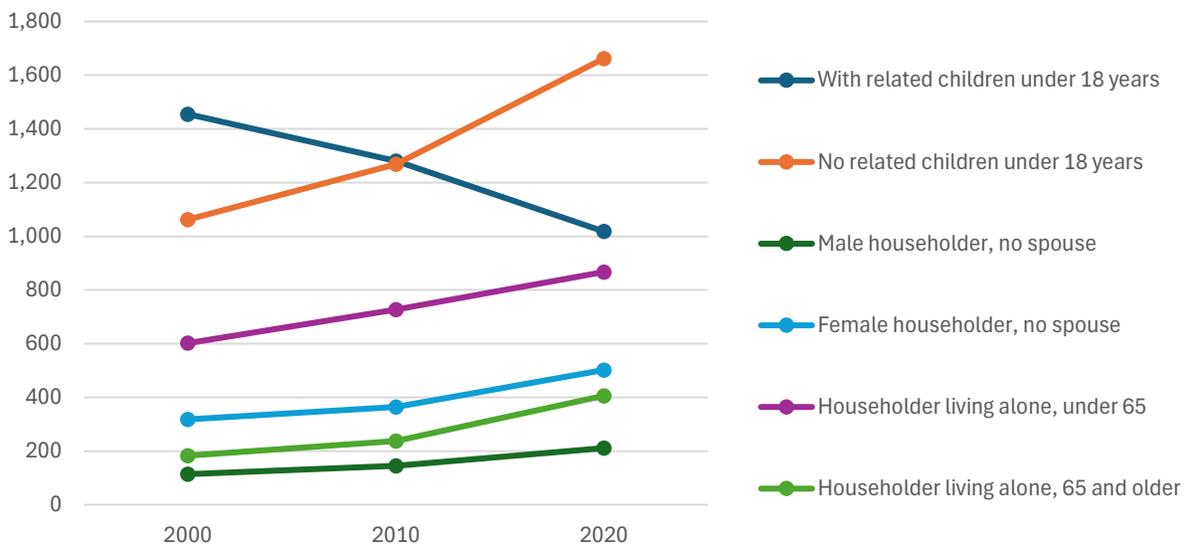
Investigating household subtypes provides insight into the variety of types of families and nonfamily households in a community. Household types in Tyngsborough have become increasingly varied over the past 20 years, with some of the largest changes being the increase in householders living alone and the increase of married-couple families without children under 18 years.

Among married couples, those with related children decreased from 58% of married couples in 2000 to 38% in 2020, a decrease of 20 percentage points, or 437 households. This indicates that more childless couples are establishing households in Tyngsborough. Householders aged 65+ living alone increased from 30% to 47% over the same period, indicating a smaller proportion of younger households living in Tyngsborough.

**Table 6: Tyngsborough Household Types (2000, 2010, 2020)**

Household Type	2000		2010		2020	
	Number	Percent	Number	Percent	Number	Percent
<b>Family Households</b>						
Married - couple	2,517	85%	2,548	83%	2,680	79%
With related children under 18 years	1,455	58%	1,280	50%	1,018	38%
No related children under 18 years	1,062	42%	1,268	50%	1,662	62%
Male householder, no spouse	114	4%	145	5%	211	6%
Female householder, no spouse	318	11%	364	12%	502	15%
<b>Total Family Households</b>	<b>2,949</b>	<b>79%</b>	<b>3,057</b>	<b>76%</b>	<b>3,393</b>	<b>75%</b>
<b>Nonfamily Households</b>						
Householder living alone	602	77%	727	77%	867	79%
Householders 65 and older living alone	183	30%	238	33%	406	47%
Householder living with others	180	23%	215	23%	237	21%
<b>Total Nonfamily Households</b>	<b>782</b>	<b>21%</b>	<b>942</b>	<b>24%</b>	<b>1,104</b>	<b>25%</b>
<b>Total Households</b>	<b>3,731</b>	<b>100%</b>	<b>3,999</b>	<b>100%</b>	<b>4,497</b>	<b>100%</b>

**Figure 3: Tyngsborough Household Characteristics (2000, 2010, 2020)**



Source: U.S. Census Bureau, 2000 Decennial Census Summary File 3 Table 012, 2010 Decennial Census Summary File 1 Table P21,. \*2000 SF3 data is based on a sample and may vary from 2000 SF1 data elsewhere.

### 3. Age Cohorts

Between 2000 and 2020, proportions of residents aged 20-24 and 45-59 increased by 69% (299 people) and 41% (854 people) respectively. Population of children 19 years or younger decreased by 39%, or 718 people. The population of those 35-44 decreased by 37% (879 people), while the population of those aged 60-74 grew by 231%, a total of 1,663 people. Again, this is likely the result of an aging population combined with a low birth rate. As residents age, birthrates decline, and possibly more young people are being priced out of Tyngsborough, fewer people under 20 years are residing in Tyngsborough.

**Table 7: Tyngsborough Population by Age Cohort (2000, 2010, 2020)**

Age Group	2000		2010		2020		Percent Change
	Number	Percent	Number	Percent	Number	Percent	2000-2020
0-9 years	1,906	17%	1,380	12%	1,298	10%	-32%
10-19 years	1,653	15%	1,717	15%	1,543	12%	-7%
20-24 years	435	4%	647	6%	734	6%	69%
25-34 years	1,608	15%	1,043	9%	1,365	11%	-15%
35-44 years	2,350	21%	1,781	16%	1,471	12%	-37%
45 - 59 years	2,086	19%	3,095	27%	2,940	24%	41%
60-74 years	720	6%	1,209	11%	2,383	19%	231%
75+ years	323	3%	420	4%	646	5%	100%
Total Population	11,081	100%	11,292	100%	12,380	100%	12%

Source: U.S. Census Bureau, 2000, 2010, 2020 Decennial Census.

**Table 7** shows the projected change for each age cohort, assuming current conditions continue. The proportion of those aged 0-34 is projected to decrease, primarily those aged 20-24 at 30%, a decrease of 228 people. The proportion of those aged 35 and up is projected to increase. Most notably, the 75+ age group is projected to grow by 136%, a total of 934 people, continuing existing trends.

**Table 8: Tyngsborough Age Cohort Projected Changes (2020-2040)**

Age Groups	2020	2020 Percentage	2030	2030 Percentage	2040	2040 Percentage	Change 2020-2040	Change Percentage
0-9 years	1,476	11%	1,631	12%	1,470	10%	-6	-0%
10-19 years	1,597	12%	1,406	10%	1,572	11%	-25	-2%
20-24 years	769	6%	540	4%	541	4%	-228	-30%
25-34 years	1,535	12%	1,424	10%	1,258	9%	-277	-18%
35-44 years	1,739	13%	2,201	16%	2,030	14%	291	17%
45 - 59 years	3,102	24%	2,780	20%	3,230	22%	128	4%
60-74 years	2,226	17%	2,992	21%	2,661	19%	435	20%
75+ years	681	5%	1,125	8%	1,605	11%	924	136%
Total	13,125	100%	14,099	100%	14,367	100%	1,242	9%

Source: UMass Lowell Donahue Institute

#### 4. People with Disabilities

Overall, 10.6% of the population lives with a disability, as shown in **Table 8**. 5.5% live with a cognitive difficulty, while 3.5% live with an independent living difficulty. These numbers are on par with those found in the 2016-2020 ACS, while the 2017-2021 ACS identified a total of 1,233 residents living with a disability. The number of residents living with a disability remains relatively steady, fluctuating by less than one hundred residents each year. Individuals living with a disability often require housing that can accommodate their unique needs, such as wheelchair accessibility. Understanding of how an individual resident navigates their everyday life and living space is key to creating housing that can properly accommodate unique needs.

**Table 9: Tyngsborough Population Living with Disabilities (2018-2022)**

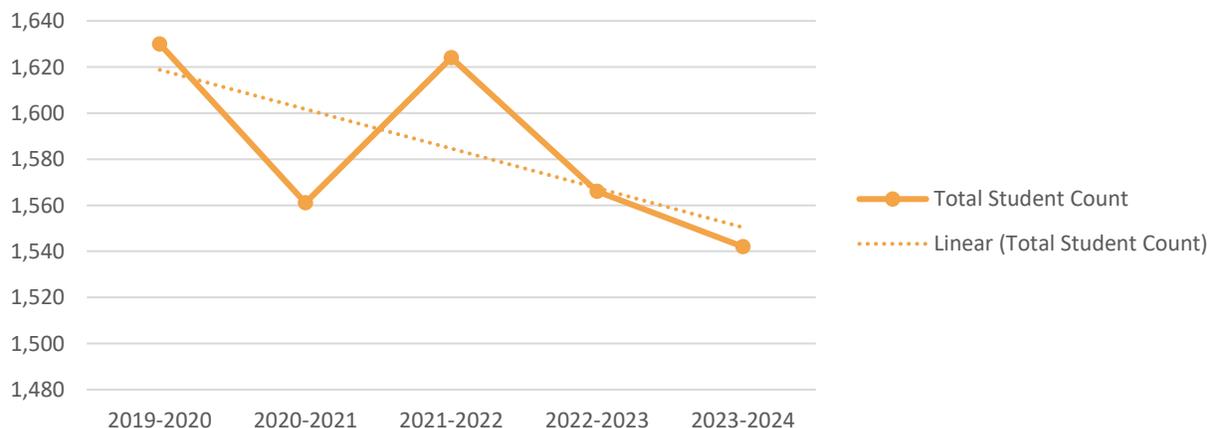
Age Group and Disability Status	Number	Percent of Total Residents
Under 5 years old	0	0.0%
5-17 years old	209	1.7%
18-64 years old	788	6.4%
65+ years old	313	2.5%
Total Number of Residents with a Disability	1,310	10.6%
With a hearing difficulty (all ages)	421	3.4%
With a vision difficulty (all ages)	119	1.0%
With a cognitive difficulty (all ages)	681	5.5%
With an ambulatory difficulty (all ages)	344	2.8%
With a self-care difficulty (all ages)	268	2.2%
With an independent living difficulty (all ages)	432	3.5%

Source: U.S. Census Bureau, 2018-2022 American Community Survey. Residents may report more than one disability.

#### 5. School Enrollment

Though school enrollment in Tyngsborough fluctuates, it has been declining since the 2021-2022 school year, going down from 1,624 to 1,542 students.

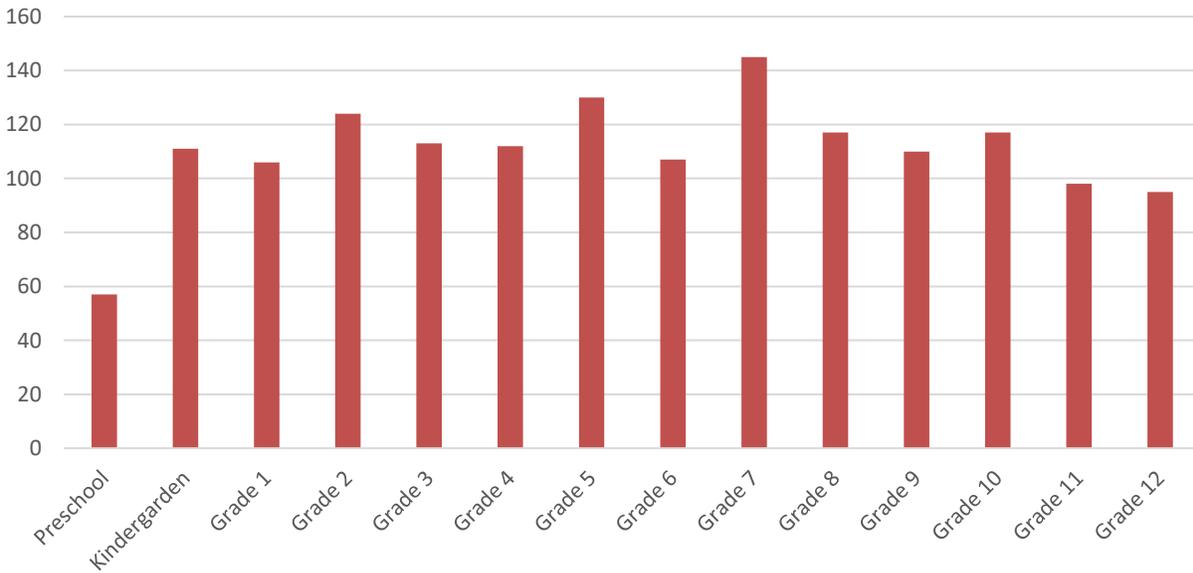
**Figure 4: Total Student Count by Year, Tyngsborough Public Schools**



Enrollment by District/Grade. Massachusetts Department of Elementary and Secondary Education.

During the 2023-2024 school year, Tyngsborough had a total of 1,542 students enrolled in grade school, an average of about 110 students per grade, with most students in grades 5 and 7. Grades 11 and 12 each had less than 100 students. This total is down 5% from the 2019-2020 school year.

**Figure 5: Tyngsborough Student Enrollment by Grade for the 2023-2024 School Year**



*Enrollment by District/Grade. Massachusetts Department of Elementary and Secondary Education.*

Tyngsborough is likely seeing a decline in school enrollment due to a decreased proportion of households with children. To maintain enrollment to make best use of existing facilities, more housing options for young people and families should be made available to offset the fact that there are fewer children per household.

## 6. Income Analysis

### 6.1. Change in Household Income

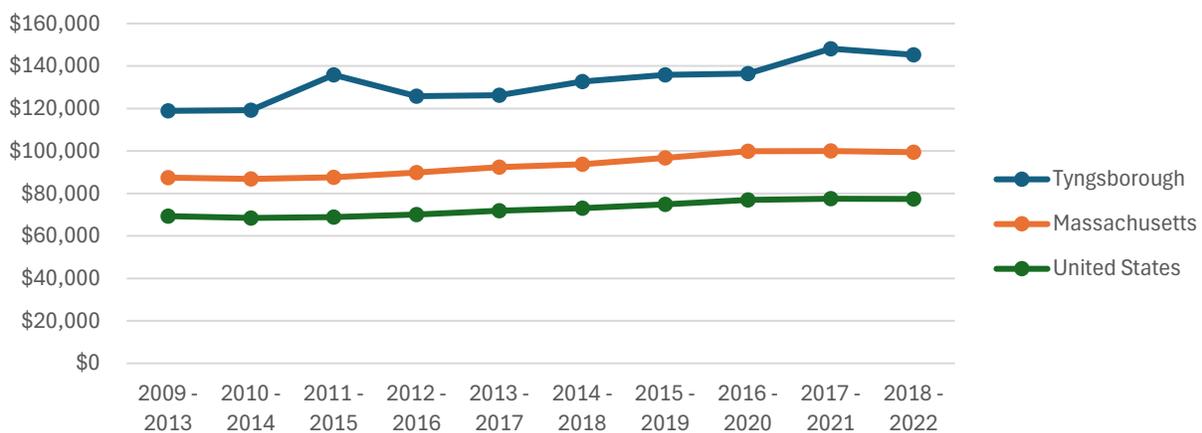
Tyngsborough's median household income, after adjusting for inflation to 2022 dollars,<sup>16</sup> grew by 22% from the 2009-13 estimate to the 2018-22 estimate, while Massachusetts' median household income increased by 13.7%. United States median household income increased by 11.6%.

Tyngsborough's income is growing nearly double than the rest of the Commonwealth and the nation. It is becoming an increasingly wealthy town, potentially as households with lower incomes are priced out.

**Table 10: Median Household Income in 2022 Dollars, Tyngsborough, Massachusetts, and the United States (2009-2013 through 2018-2022)**

Year	Tyngsborough	Massachusetts	United States
2009 - 2013	\$118,892	\$87,373	\$69,315
2010 - 2014	\$119,190	\$86,851	\$68,464
2011 - 2015	\$135,900	\$87,663	\$68,901
2012 - 2016	\$125,737	\$89,822	\$70,033
2013 - 2017	\$126,186	\$92,384	\$71,813
2014 - 2018	\$132,769	\$93,691	\$73,004
2015 - 2019	\$135,872	\$96,740	\$74,856
2016 - 2020	\$136,438	\$99,873	\$76,923
2017 - 2021	\$148,172	\$99,975	\$77,510
2018 - 2022	\$145,260	\$99,371	\$77,381
10-year change	22.2%	13.7%	11.6%

**Figure 7: Median Household Income in 2022 Dollars, Tyngsborough, Massachusetts, and the United States (2009-2013 through 2018-2022)**



Source: U.S. Census Bureau, 2000 Decennial Census and 2011-2015 and 2016-2020 American Community Survey.

<sup>16</sup> Adjustments were made with the Bureau of Labor Statistics (BLS) Inflation Rate Calculator, which uses the average Consumer Price Index (CPI) for a given calendar year.

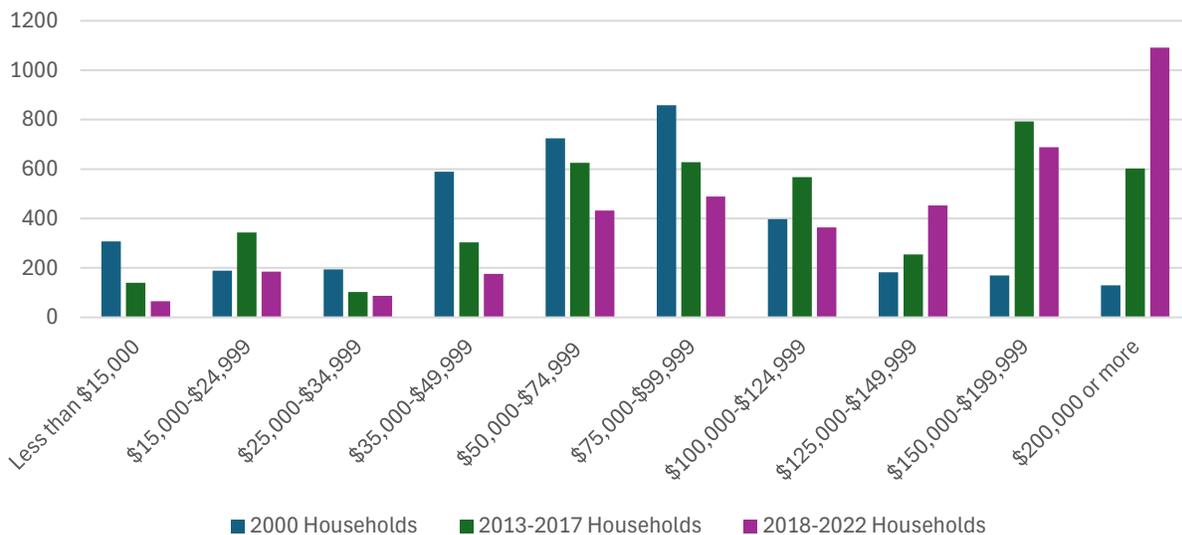
## 6.2. Household Income Distribution

Although income distribution cannot be adjusted for inflation, it shows a more granular picture of households in the community. Households making 0-\$124,999 all decreased. Households making \$125k or more increased significantly. Household income brackets of \$125,000-\$149,999 increased by 149%, an increase of 271 households. Household income brackets of \$150,000-199,999 more than tripled from 169 households to 689 households. Finally, households making \$200k or more septupled, growing 739%, with 961 more households added to this income bracket. This trend further shows the specific ways in which Tyngsborough household incomes are increasing.

**Table 11: Tyngsborough Household Income Over Time (2000, 2013-2017, 2018-2022)**

	2000 Households		2013-2017 Households		2018-2022 Households		Percent Change 2000-2018/22
	Number	Percent	Number	Percent	Number	Percent	
Less than \$15,000	307	8%	140	3%	65	2%	-79%
\$15,000-\$24,999	189	5%	343	8%	185	5%	-2%
\$25,000-\$34,999	194	5%	103	2%	87	2%	-55%
\$35,000-\$49,999	589	16%	304	7%	176	4%	-70%
\$50,000-\$74,999	724	19%	625	14%	432	11%	-40%
\$75,000-\$99,999	859	23%	628	14%	489	12%	-43%
\$100,000-\$124,999	398	11%	568	13%	364	9%	-9%
\$125,000-\$149,999	182	5%	254	6%	453	11%	149%
\$150,000-\$199,999	169	5%	793	18%	689	17%	308%
\$200,000 or more	130	3%	602	14%	1,091	27%	739%
Total	3,741	100%	4,360	100%	4,031	100%	8%

**Figure 8: Tyngsborough Household Income Over Time (2000, 2013-2017, 2018-2022)**



Source: U.S. Census Bureau, 2000, 2013-2017, and 2018-2022 American Community Survey.

### 6.3. Area Median Income

Most affordable housing programs determine household eligibility for income restricted units on a standardized set of income thresholds. Given the economic diversity of the United States, the U.S. Department of Housing and Urban Development (HUD) defines these thresholds as percentages of Area Median Income (AMI), a number calculated based on the median household income within a metropolitan area. Tyngsborough is included as part of the Lowell Metropolitan FMR region.

The AMI thresholds are primarily capped at 80%, 60%, 50%, and 30%, but vary based on household size. HUD and EOHLC categorize households earning 80%-100% of HAMFI as “moderate income”, households earning 51%-80% as “low income”, 31-50% as “very low income,” and at or below 30% as “extremely low income<sup>17</sup>”. These percentages are used to determine eligibility for income-restricted units, including those developed under programs or statutes such as Chapter 40B, Section 8, and the Low-Income Housing Tax Credit.

**Table 12: Greater Lowell Income Limits by Household Size FY 2024**

Area Median Income	Income Limit Category	Household Size (Number of People)							
		1	2	3	4	5	6	7	8
\$132,900	Extremely Low	\$28,900	\$33,000	\$37,150	\$41,250	\$44,550	\$47,850	\$51,150	\$54,450
	50% Very Low	\$48,150	\$55,000	\$61,900	\$68,750	\$74,250	\$79,750	\$85,250	\$90,750
	80% Low	\$68,500	\$78,250	\$88,050	\$97,800	\$105,650	\$113,450	\$121,300	\$129,100

Source: U.S. Department of Housing and Urban Development, May 2022. Tyngsborough is included in the Lowell Metropolitan Fair Market Rent (FMR) region.

### 6.4. Poverty Status

The U.S. Census Bureau uses a complex “Poverty Threshold” calculation to estimate the population’s poverty levels which considers money before taxes and does not include capital gains or benefits such as public housing, Medicaid, and food assistance. In 2024, these thresholds ranged from roughly a \$15,000 household income for one person in family to roughly \$53,000 for eight or more.

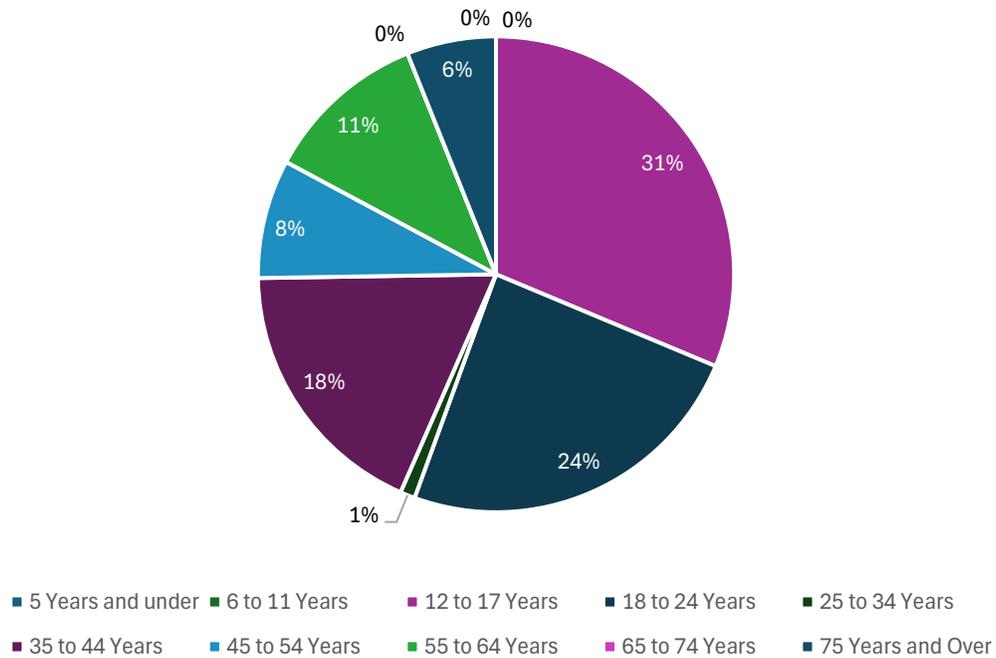
**Table 13** shows the estimate of 5% of the population living under the poverty threshold. Two thirds of those living under the poverty threshold are female, and 55% are aged 12-24 years. Another 18% are aged 35-44 years. Poverty affects more young people overall.

<sup>17</sup> The FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to be the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as established by the Department of Health and Human Services (HHS), provided that this amount is not greater than the 50% very low-income limit.

**Table 13: Individuals Living in Poverty in Tyngsborough by Age and Sex (2018-2022)**

Age	Number Below Poverty Level	Percent of Those in Poverty
5 Years and under	0	0%
6 to 11 Years	0	0%
12 to 17 Years	177	31%
18 to 24 Years	140	24%
25 to 34 Years	7	1%
35 to 44 Years	103	18%
45 to 54 Years	47	8%
55 to 64 Years	61	11%
65 to 74 Years	0	0%
75 Years and Over	37	6%
Total Individuals Living in Poverty	572	5%
Sex	Number Below Poverty Level	Percent of Those in Poverty
Male	193	33.7%
Female	379	66.3%
Total	Number Below Poverty Level	Percent of Total Tyngsborough Population
Total Individuals with Income in the Past 12 Months Below Poverty Line	572	5%
Total Tyngsborough Population of which Poverty Status is Known	12,371	

**Figure 12: Age of Tyngsborough Population Living under Poverty (2018-2022)**



Source: U.S. Census Bureau, 2018-2022 American Community Survey.

## 7. Race and Ethnicity Analysis

### 7.1. Race and Ethnicity and Income

A large majority of Tyngsborough's population identifies as White, not Hispanic or Latino. However, this portion of the population decreased by 4% between 2000 and 2020, a total of 471 people. By contrast, the Black/African American population grew by 531% (292 people) and the Asian population by 260% (716 people). The population who identified as being two or more races increased by 494% (543 people).<sup>18</sup> Those identifying as some other race increased by 1,547% (232 people). Those identifying as Hispanic or Latino increased by 356% (438 people). These trends show that Tyngsborough's population has become more racially and ethnically varied over time.

Although the Town is seeing an increase in nonwhite populations, these groups are overall much more likely to live in rental units compared to white residents. Compared to the rest of the region, commonwealth, and the country, a higher proportion of the owner-occupied housing stock is owned by white residents, while most of the Town's Black/African American and Asian residents live in rental units.

**Table 14: Tyngsborough Population Change by Race and Ethnicity (2000-2020)**

Racial/Ethnic Category	2000		2010		2020		Percent Change 2000-2020
	Population	Percent	Population	Percent	Population	Percent	
White Alone	10,597	95.63%	10,390	92.01%	10,126	81.79%	-4%
Black or African American Alone	55	0.50%	120	1.06%	347	2.80%	531%
American Indian and Alaska Native Alone	25	0.23%	14	0.12%	13	0.11%	-48%
Asian Alone	275	2.48%	535	4.74%	991	8.00%	260%
Native Hawaiian and Other Pacific Islander Alone	4	0.04%	0	0.00%	3	0.02%	-25%
Some Other Race Alone	15	0.14%	74	0.66%	247	2.00%	1547%
Two or More Races	110	0.99%	159	1.41%	653	5.27%	494%
Total Population	11,081	100.00%	11,292	100.00%	12,380	100.00%	12%
Hispanic or Latino (All races)	123	1.11%	265	2.35%	561	4.53%	356%

Source: U.S. Census Bureau, 2000, 2010, and 2020 Decennial Census.

Due to the relatively small sample size of races and ethnicities other than White, non-hispanic or Latino, margins of error in income distribution and poverty status were too high to draw conclusions. However, regionally, those identifying as Black or African American, those identifying as

<sup>18</sup> In 2020, the U.S. Census Bureau made it easier to identify as more than one race on the census form, which may account for some of the increase in population who identify as two or more races.

Hispanic or Latino, and those identifying as Two or More Races have lower median incomes than White Alone, not Hispanic or Latino and Asian Alone populations.<sup>19</sup>

### 7.2. Race and Ethnicity and Tenure

Tyngsborough has a higher proportion of owner-occupied housing compared to the state and region. White and Asian residents own their housing much more than rent it. In addition, just over half of Hispanic/Latino residents own their housing. Households headed by people identifying as Black or as more than one race are more likely to rent. This may create fair housing concerns, as Tyngsborough has a much smaller proportion of rental stock than the region as a whole (see Housing Inventory Analysis in the next section).

**Table 15: Occupied Households by Tenure and Race and Ethnicity from 2018-2022**

	United States		Massachusetts		Tyngsborough		Greater Lowell	
	Owner Occupied	Renter Occupied						
White Alone, Not Hispanic or Latino	73%	27%	70%	30%	88%	12%	74%	26%
Black or African American Alone	43%	57%	36%	64%	35%	65%	37%	63%
Asian Alone	62%	38%	56%	44%	97%	3%	63%	37%
Some Other Race or Two or More Races	51%	49%	36%	64%	23%	77%	43%	57%
Hispanic or Latino, All Races	50%	50%	31%	69%	54%	46%	40%	60%
Total	65%	35%	62%	38%	86%	14%	68%	32%

Source: U.S. Census Bureau, 2018-2022 American Community Survey.

### 7.3. Home Mortgage Disclosure Act (HMDA) Data

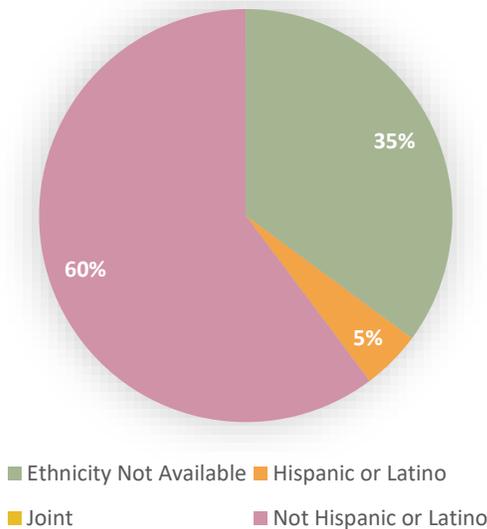
The Home Mortgage Disclosure Act requires financial institutions to maintain and publicly report data on mortgage loans. This data helps show whether lenders are serving local housing needs and lending patterns that could be discriminatory. This is the most accurate mortgage data that is publicly available.

**Figure 5** contains the ethnic breakdown of mortgage applications for home purchases in Tyngsborough in 2023. Only 5% of applicants identified as Hispanic or Latino. 60% of applicants identified as Not Hispanic or Latino.

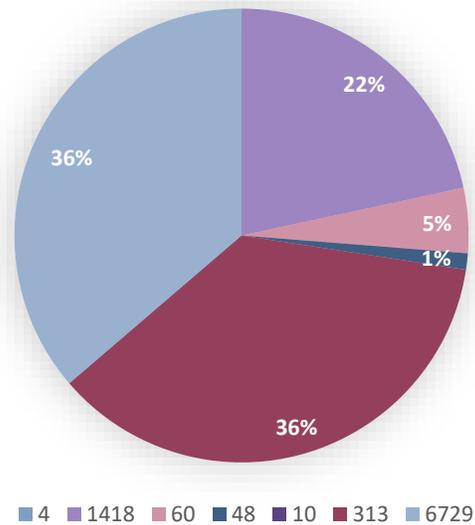
<sup>19</sup> U.S. Census Bureau, 2018-2022 American Community Survey Table B25118

**Figure 6** shows the racial breakdown of mortgage applications for home purchases in Tyngsborough in 2023. Home purchases were the most common purpose of mortgage loan applications. A total of 72% of applicants identified as either White or their racial identity was not identifiable. 22% of applicants identified as Asian.

**Figure 5: Mortgage Applications for Home Purchase in Tyngsborough by Ethnicity, 2023**

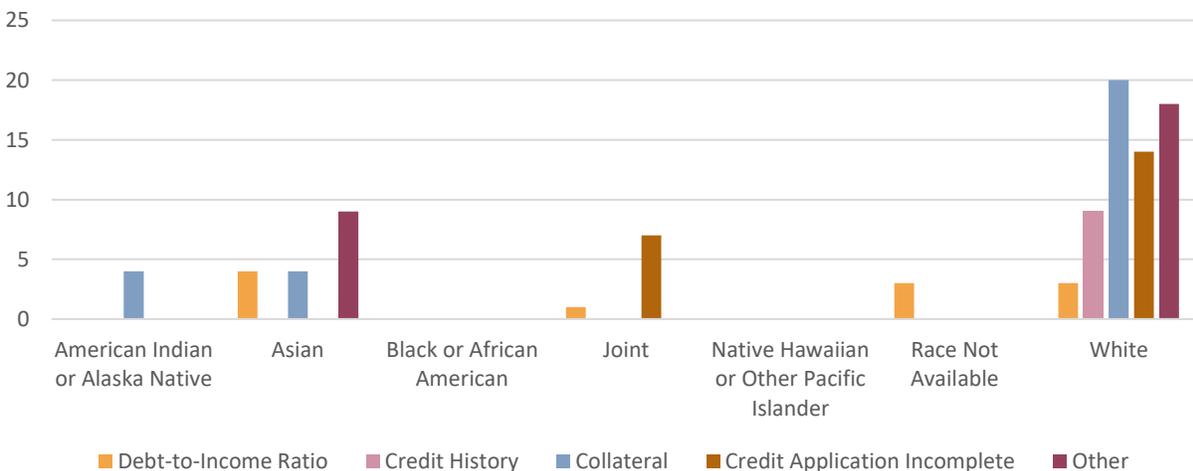


**Figure 6: Mortgage Applications for Home Purchase in Tyngsborough by Race, 2023**



**Figure 7** shows the breakdown of mortgage application denials by race. As the vast majority of applicants identified as White, this group received the most application denials. The most common reason for denial was insufficient collateral, followed by the “other” category. Among applicants identified as being of joint race, the most common denial reason was an incomplete credit application. For applicants whose racial identification was unavailable, the most common denial reason was an insufficient debt-to-income ratio.

**Figure 7: Reason for Mortgage Application Denial by Race, 2023**



## B. Housing Inventory Analysis

### 1. Total Year-Round Housing Units

The 2020 Decennial Census counted 4,622 year-round residential units in the Town of Tyngsborough. The HPP utilizes multiple data sources to determine the type, tenure, and vacancy rates of these units. Notably, the most recent American Community Survey (2018-2022) estimated 4,198 units in Tyngsborough. This is less accurate because it is an estimate, not a count, but ACS data is used when census data on a particular topic is not available.

As 149 units were permitted in the years 2020-2024 (see **Table 27**), this HPP estimates that the total number of units in January 2025 is 4,771. It will utilize that number for setting housing production goals.

### 2. Housing Tenure

Between 2000 and 2020, the number of owner-occupied units increased by 20%, while renter occupied units increased by 22%. As both tenure types grew by similar proportions, the overall mix of owner occupied vs. renter occupied units has remained at around 84% vs. 16%, making the majority of housing owner-occupied.

**Table 16: Tyngsborough Housing Tenure Over Time (2000-2020)**

	2000		2010		2020		Percent Change 2000-2020
	Number	Percent	Number	Percent	Number	Percent	
Owner Occupied	3,144	84%	3,455	86%	3,778	84%	20%
Renter Occupied	587	16%	544	14%	719	16%	22%
Total Occupied Housing Units	3,731	100%	3,999	100%	4,497	100%	21%

Source: U.S. Census Bureau, 2000, 2010, and 2020.

The proportion of owner-occupied units in Tyngsborough is slightly higher than the amount in all peer suburbs, and significantly higher compared to both Greater Lowell and Massachusetts as a whole.

**Table 17: Tyngsborough Housing Tenure Compared to the Region and State**

	Tyngsborough		Region Outside Lowell		Greater Lowell		Massachusetts	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Owner Occupied	3,778	84%	57,730	81%	74,794	66%	1,660,042	60%
Renter Occupied	719	16%	13,805	19%	37,970	34%	1,089,183	40%
Total Occupied Housing Units	4,497	100%	71,535	100%	112,764	100%	2,749,225	100%

Source: U.S. Census Bureau 2018-2022 American Community Survey.

## FAST FACTS: HOUSING INVENTORY ANALYSIS

- Between 2014-2023, inflation-adjusted median condo sales price increased at a greater rate in Tyngsborough (\$273,946 to \$400,000) than in Massachusetts, while sales have remained steady (between 44-76 annually), indicating a demand for small units.
- Vacancy rates are 1.4% for sales units and 6.4% for rental, under U.S. average and below healthy rates.

### 3. Housing Vacancy Rates

Tyngsborough's vacancy rate for ownership units is very low, at 1.4%. This is under what is considered a healthy vacancy rate of 2%.<sup>20</sup> Similarly, Tyngsborough's vacancy rate for rental units is also somewhat low at 6.4%. This is under the healthy rental vacancy rate of 7-8%.<sup>21</sup>

**Table 18: Ownership Units by Vacancy Status, Tyngsborough, 2013-2017 through 2018-2022**

	2013-2017		2018-2022	
	Number	Percent	Number	Percent
Owner Occupied	3,748	100.0%	3,457	97.5%
For sale only	0	0.0%	50	1.4%
Sold, not occupied	0	0.0%	37	1.0%
<b>Total Owner</b>	<b>3,748</b>	<b>100.0%</b>	<b>3,544</b>	<b>100.0%</b>

Source: U.S. Census Bureau 2013-2017 and 2018-2022 American Community Survey.

**Table 19: Units Intended for Rental by Vacancy Status, Tyngsborough (2013-17 and 2018-22)**

	2013-2017		2018-2022	
	Number	Percent	Number	Percent
Renter Occupied	612	100.0%	574	93.6%
For Rent	0	0.0%	39	6.4%
Rented, not Occupied	0	0.0%	0	0.0%
<b>Total Rented</b>	<b>612</b>	<b>100.0%</b>	<b>613</b>	<b>100.0%</b>

Source: U.S. Census Bureau 2013-2017 and 2018-2022 American Community Survey.

Tyngsborough's rental market has a higher vacancy rate compared to the rest of the Greater Lowell Region, Massachusetts, and the United States. It has the highest percentages of units for sale and units that have been sold but have yet to be occupied compared to all of these regions.

**Table 20: Vacancy Status, Selected Regions (2018-22)**

	Tyngs.	Region Outside of Lowell	Greater Lowell	Mass.	United States
For sale only (% of units intended for sale)	1.4%	0.2%	0.3%	0.7%	1.1%
Sold, not occupied (% of units intended for sale)	1.0%	0.4%	0.4%	0.8%	0.7%
For Rent (% of units intended for rent)	6.4%	2.7%	2.6%	3.3%	5.5%
Rented, not Occupied (% of units intended for rent)	0.0%	0.5%	0.4%	1.0%	1.1%
For seasonal, recreational, or occasional use (% of total units)	0.0%	0.4%	0.4%	3.9%	3.5%
Other vacant (% of total units)	1.0%	1.0%	1.2%	2.2%	3.9%

Source: U.S. Census Bureau 2018-2022 American Community Survey.

<sup>20</sup> *The Empty House Next Door*, Alan Mallach, 2018.

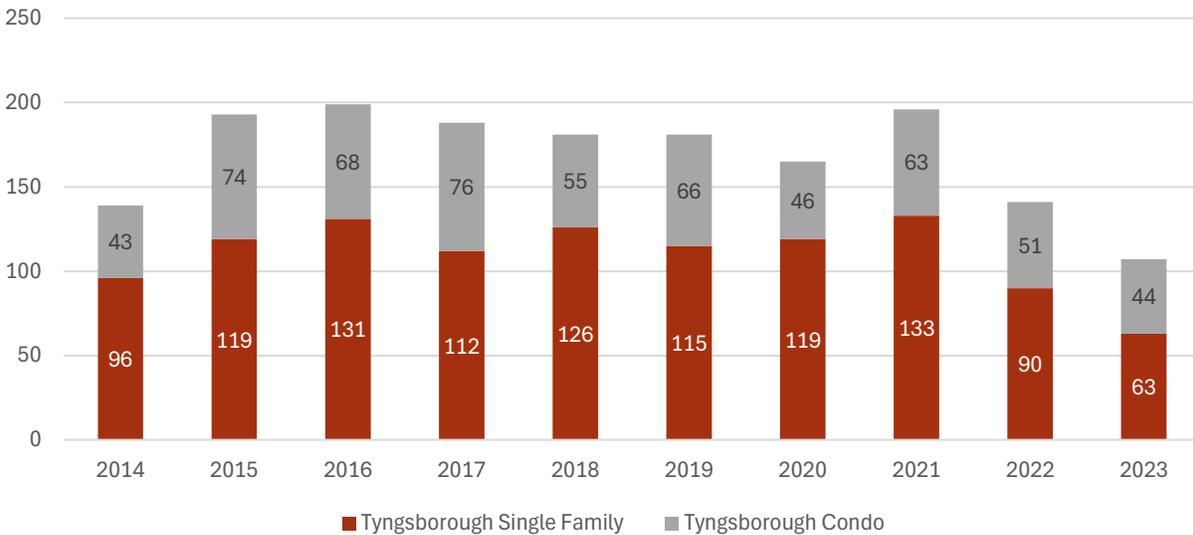
<sup>21</sup> *Ibid.*

## 4. Housing Market Conditions

### 4.1. Residential Sales

Sales of ownership units hit triple digits starting in 2015, and remained relatively high, peaking at 133 in 2021. Condo sales peaked in 2017 at 76 total sales, fluctuating more year by year. However, overall sales have decreased since 2021, possibly due to a combination of high interest rates without a corresponding drop in sales prices after an initial “move to the country” spurred by the COVID-10 Pandemic.

**Figure 14: Residential Sales in Tyngsborough (2014-2023)**



Source: The Warren Group, 2024.

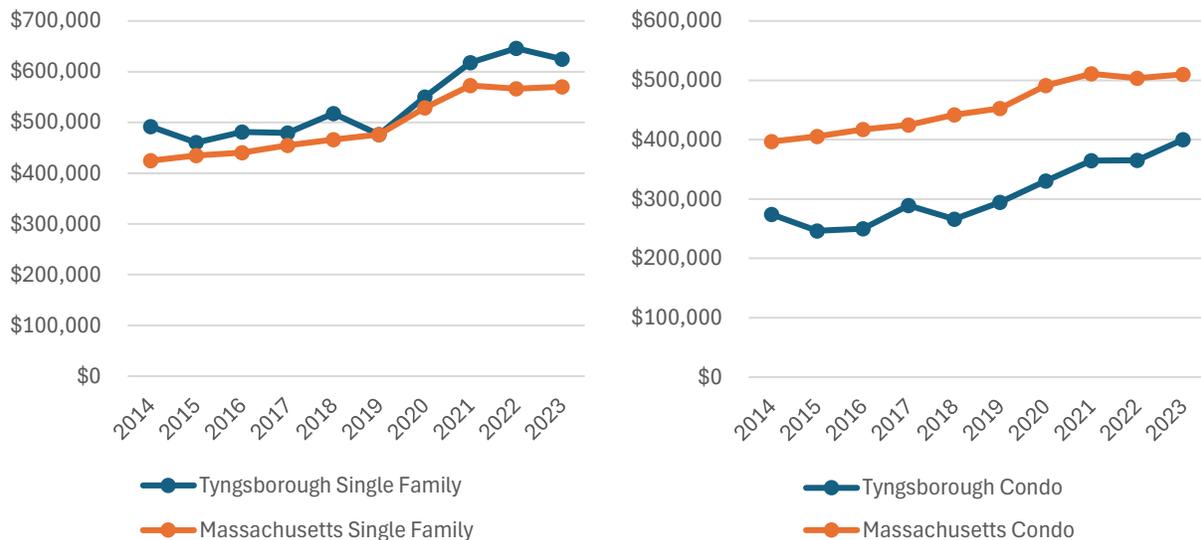
## 4.2. Median Home Sales Price

Between 2014 and 2023, inflation-adjusted Median sales prices of single-family homes in Tyngsborough increased by \$133,145, or 27.1%. Median condo sales prices increased by an inflation-adjusted 46%, or \$126,054 over the same period, indicating an increased demand for smaller units. The median condo sales price for Tyngsborough increased more than it did for the whole Commonwealth of Massachusetts, which grew 28.5%. Still, condos in Tyngsborough remain at lower costs compared to the rest of Massachusetts.

**Table 21: Tyngsborough and Massachusetts Median Home Sales Price in 2024 dollars (2014-2023)**

Year	Tyngsborough		Massachusetts	
	Single Family	Condo	Single Family	Condo
2014	\$491,855	\$273,946	\$424,681	\$396,838
2015	\$460,288	\$246,538	\$434,717	\$405,309
2016	\$480,920	\$249,955	\$440,538	\$417,118
2017	\$479,567	\$288,986	\$454,654	\$424,759
2018	\$517,627	\$266,381	\$466,167	\$441,830
2019	\$476,463	\$294,752	\$476,463	\$452,640
2020	\$550,345	\$330,207	\$529,041	\$491,168
2021	\$617,645	\$364,972	\$572,725	\$510,961
2022	\$646,137	\$365,544	\$566,335	\$503,348
2023	\$625,000	\$400,000	\$570,000	\$510,000

**Figure 8: Median Home and Condo Sales Prices in Tyngsborough and Massachusetts (2014-2023)**



Source: The Warren Group 2024.

With a median single-family home sales price of \$625,000, home prices are equal to those of Chelmsford, just above the average among the municipalities of the Greater Lowell Region and much higher than the median sales price of Massachusetts. However, only 90 single family homes were sold in 2023 compared to 325 in Chelmsford. With a median condo sales price of \$400,000, condo prices are \$110,000 lower than the median condo sales price for Massachusetts.

**Table 22: 2024 Housing Sales and Prices in the Greater Lowell Region**

Community	Single Family Sales	Median Sales Price	Condo Sales	Median Sales Price
Billerica	264	\$650,000	48	\$377,500
Chelmsford	325	\$625,000	182	\$437,450
Dracut	279	\$515,000	123	\$308,500
Dunstable	38	\$866,000	0	N/A
Lowell	494	\$460,000	374	\$325,000
Pepperell	99	\$513,000	16	\$335,000
Tewksbury	287	\$644,900	126	\$479,561
Tyngsborough	90	\$625,000	51	\$400,000
Westford	230	\$718,000	87	\$615,000
Massachusetts	40,828	\$570,000	19,199	\$510,000

Source: The Warren Group 2024.

**4.3. Home Values**

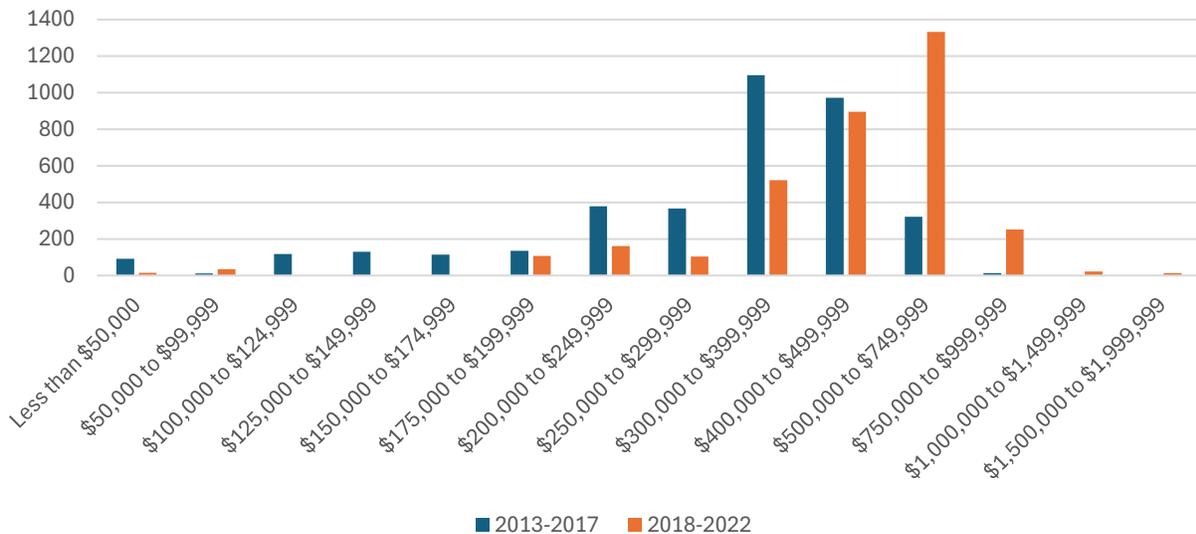
The American Community Survey asks homeowners how much they think their homes would sell for if they were currently on the market. This information helps provide estimates of the values of every home. Housing units worth \$50k-\$99,999 increased by 209%, increasing by 23 units. All other units valued at less than \$500k decreased, with units worth \$100k-174,999 disappearing completely. Units valued at \$500k-\$749,999 increased by 315%, an increase of over 1,000 units, and units valued at \$750,000-\$999,999 increased 1,838%, an increase of 239 units. 35 units were valued at \$1-2 million in the 2018-2022 estimates. Housing units available for ownership are increasing in value.

**Table 23: Tyngsborough Home Values (2013-2017, 2018-2022)**

	2013-2017		2018-2022		Change 2013-17 to 2018-22
	Number	Percent	Number	Percent	
Less than \$50,000	91	2%	15	0%	-84%
\$50,000 to \$99,999	11	0%	34	1%	209%
\$100,000 to \$124,999	117	3%	0	0%	-100%
\$125,000 to \$149,999	130	3%	0	0%	-100%
\$150,000 to \$174,999	114	3%	0	0%	-100%
\$175,000 to \$199,999	136	4%	108	3%	-21%
\$200,000 to \$249,999	379	10%	161	5%	-58%
\$250,000 to \$299,999	367	10%	103	3%	-72%
\$300,000 to \$399,999	1,096	29%	521	15%	-52%
\$400,000 to \$499,999	973	26%	896	26%	-8%
\$500,000 to \$749,999	321	9%	1,332	39%	315%
\$750,000 to \$999,999	13	0%	252	7%	1,838%
\$1,000,000 to \$1,499,999	0	0%	22	1%	2,200%
\$1,500,000 to \$1,999,999	0	0%	13	0%	1,300%
<b>Total</b>	<b>3,748</b>	<b>100%</b>	<b>3,457</b>	<b>100%</b>	<b>-8%<sup>22</sup></b>

Source: U.S. Census Bureau 2013-2017 and 2018-2022 American Community Survey.

**Figure 9: Home Value, Homeowner Occupied Units (2013-2017 and 2018-2022)**



<sup>22</sup> Although the American Community Survey estimates showed an 8% decline in owner-occupied homes, this is within the margin of error. The more accurate 2020 Decennial Census showed an increase in owner-occupied homes from 2010. That data source does not include home values, so those numbers were not used.

#### 4.4. Rent Rates

Fair Market Rent (FMR) is an estimate of the fortieth percentile gross rent in a given area and is used to determine the maximum amount certain voucher programs can compensate owners. Fair market rent rates for the Lowell HUD Metro FMR Area have steadily increased over time, with the largest increase occurring between 2021 and 2022.

**Table 24: Fair Market Rent Rates for the Lowell HUD Metro FMR Area (2020-2024)**

	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
FY 2020 FMR	\$1,066	\$1,188	\$1,534	\$1,912	\$2,078
FY 2021 FMR	\$1,067	\$1,193	\$1,547	\$1,924	\$2,098
FY 2022 FMR	\$1,237	\$1,359	\$1,773	\$2,192	\$2,404
FY 2023 FMR	\$1,340	\$1,490	\$1,955	\$2,379	\$2,626
FY 2024 FMR	\$1,369	\$1,518	\$1,995	\$2,412	\$2,657

Source: FY 2020-2024 Lowell, MA Metro FMR Area, HUD Fair Market Rent Documentation System.

[https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2022\\_code/2022summary.odn](https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2022_code/2022summary.odn) Retrieved July 2024.

Self-reported rent and utility costs are included in ACS estimations. Tyngsborough's median gross rent increased by \$299.15, the third highest in the region behind Billerica and Chelmsford, an increase of 19%. This rate is equal to Chelmsford's rate of growth over the same period.

**Table 25: Median Gross Rents in the Greater Lowell Region (2013-2017, 2018-2022)**

Community	Median Gross Rent 2013-17	Median Gross Rent 2018-22	Change from 2013-17 to 2018-22	Percent Change from 2013-17 to 2018-22
Billerica	\$1,669	\$2,047	\$377.90	23%
Chelmsford	\$1,627	\$1,929	\$301.84	19%
Dracut	\$1,596	\$1,672	\$76.58	5%
Dunstable	\$2,095	\$1,622	-\$473.37	-23%
Lowell	\$1,356	\$1,510	\$153.05	11%
Pepperell	\$1,393	\$1,172	-\$220.81	-16%
Tewksbury	\$2,052	\$2,317	\$265.28	13%
Tyngsborough	\$1,577	\$1,876	\$299.15	19%
Westford	\$2,293	\$2,551	\$257.37	11%
Massachusetts	\$1,461	\$1,635	\$174.04	12%

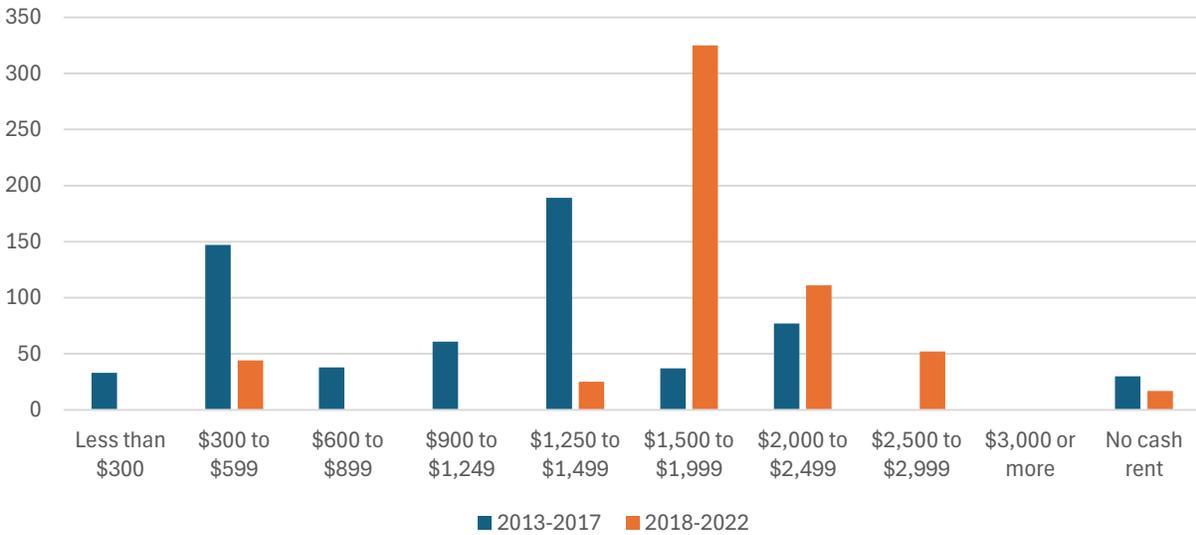
Source: U.S. Census Bureau, 2013-2017 and 2018-2022 American Community Survey, Table B25064.

The number of housing units with rents of less than \$1,500 have decreased. Units with rent rates between \$1,500 and \$1,999 more than septupled at 778%, an increase of almost 300 units. Units renting for \$2,000 to \$2,499 increased 44%. 52 units were added that cost between \$2,500 and \$2,999. Renting in Tyngsborough is becoming more expensive.

**Table 26: Tyngsborough Housing Units by Rent Rate (2013-2017, 2018-2022)**

	2013-2017		2018-2022		Percent Change from 2013-17 to 2018-22
	Number	Percent	Number	Percent	
Less than \$300	33	5%	0	0%	-100%
\$300 to \$599	147	24%	44	8%	-70%
\$600 to \$899	38	6%	0	0%	-100%
\$900 to \$1,249	61	10%	0	0%	-100%
\$1,250 to \$1,499	189	31%	25	4%	-87%
\$1,500 to \$1,999	37	6%	325	57%	778%
\$2,000 to \$2,499	77	13%	111	19%	44%
\$2,500 to \$2,999	0	0%	52	9%	5,200%
\$3,000 or more	0	0%	0	0%	0%
No cash rent	30	5%	17	3%	-43%
<b>Total</b>	<b>612</b>	<b>100%</b>	<b>574</b>	<b>100%</b>	<b>-6%<sup>23</sup></b>

**Figure 10: Gross Rent (2013-2017 and 2018-2022)**



Source: U.S. Census Bureau 2013-2017 and 2018-2022 American Community Survey.

<sup>23</sup> Although the American Community Survey estimates showed a 6% decline in renter-occupied homes, this is within the margin of error. The more accurate 2020 Decennial Census showed an increase in renter-occupied homes from 2010. That data source does not include gross rents, so these estimates are presented instead.

## 5. Market Rate and Subsidized Housing Inventory (SHI) Residential Development

### 5.1. Recent Permitting and Developments

From 2017-2024, Tyngsborough permitted 334 units, an average of 42 new housing units per year. Most of the housing produced has been duplexes, followed by single-family units. From 2014-2023, Tyngsborough permitted a total of 16 accessory dwelling units. Multifamily housing is rarely produced. There was a significant drop in permitted units after 2020, possibly due to the effects of the COVID-19 Pandemic and subsequent increase in interest rates. This may also be due to a perceived lack of opportunities due to Tyngsborough achieving 10% on its SHI.

**Table 27: Tyngsborough Residential Permits, 2017-2024**

Year	Single-Family Development	Duplex	Multifamily (5+ Units)	Temporary Independent Living Quarters	Total
2017	3	38	-	-	41
2018	11	54	-	-	65
2019	7	72	-	-	79
2020	14	34	-	-	48
2021	9	-	-	1	10
2022	15	-	-	2	17
2023	38	-	16	1	55
2024	23	-	-	1	24
Total	120	198	16	5	339

Source: Town of Tyngsborough Building Permit Records.

As **Table 28** shows, the major developments in the period of performance of the previous HPP (2020-2024) have been within single family subdivisions with the exception of Merrimac Commons and Sherburne Avenue. Other developments during that time consisted of mostly larger (4- and 5-bedroom) single family homes on large lots scattered throughout town.

**Table 28: Tyngsborough Recent Developments (2019-2024)**

Development Name	Year of Completion	Number of Units	Description
Tyngsborough Crossing	2019	101	Development of 101 condominium units, mostly duplexes on Riley Road and Grace Way. Contains 26 affordable units.
Merrimac Commons	2020	68	Development of 68 duplex rental units on Pumpkin Circle. Contains 17 affordable units.
Crown Road	2021-23	8	Eight-parcel subdivision started in 2021, with last home permitted in 2023.
Enclave at Tyngsborough	2023-Ongoing	64	100-home subdivision restricted to households headed by those aged 55+ offering build-to-suit homes starting at \$825,995 on former golf course.
60 & 62 Sherburne Avenue	2024	16	Two- and three-bedroom apartment complex developed with land donated as part of the Enclave at Tyngsborough subdivision's compliance with the Inclusionary Housing Regulation. 4 units are affordable to 80% AMI.

Source: Town of Tyngsborough Building Permit Records.

In addition to analyzing permit data, NMCOG analyzed American Community Survey data. Although this data has a margin of error, it can show long-term trends. Over time, Tyngsborough has seen an increase in larger-scale housing. The number of single attached units increased by over 100% (a growth of over 200 units). Mobile homes increased by over 200% (a growth of nearly 80 units). Overall, demand for smaller-scale, higher-density units is growing locally. Other types, including small multifamily such as 3-9 units and single family detached, had smaller changes over the ten years analyzed. It’s possible that this lack of growth reflects limited opportunities to construct smaller single family units or “missing middle” types of small-scale multifamily in Tyngsborough.

**5.2. Subsidized Housing Inventory (SHI)**

**Table 29** shows the change in Tyngsborough’s SHI over time. In 2019, 60 units related to Merrimac Commons and 1 related to Tyng Village were removed because they had been permitted but not constructed. They were re-added to the SHI after the units were constructed in 2020-21. An additional 11 units—four at Merrimac Commons and seven DDS Group Home beds—were added in 2022. These were the only units added during the period of performance of the previous HPP.

During the development of this HPP, 8 additional beds were added to DDS Group Homes and the 16-unit Sherburne Avenue development were added, bringing the total SHI count to 500 as of January 2025, or 10.8% of the Town's 2020 year-round housing stock. This meets the goal of having at least 10% of housing units on the SHI based on the 2020 Census count.

**Table 29: Tyngsborough Subsidized Housing Inventory Over Time**

Time Period	Total SHI Units	Difference in Units from Previous Period	Percent Affordable (Based on 2020 census)
July 2016	437	97	9.45%
August 2017	447	10	10.02%
September 2018	465	18	10.06%
July 2019	404	-61	8.74%
July 2020	436	32	9.43%
June 2021	465	29	10.06%
May 2022	476	11	10.30%
February 2023	476	0	10.30%
May 2024	476	0	10.30%
January 2025	500	24	10.82%

Source: Massachusetts Department of Housing and Community Development. \* A new number of year-round units was calculated based on 2020 U.S. Census data in August 2023. This table reports the percent of this new number for all years.

Examining the larger regional context, seven of the nine communities in Greater Lowell are at or near the state’s 10% SHI goal. The communities that are less than 1% below the state’s goal had met

the goal based on the 2010 census but fell below when the goal was updated by the 2020 Census. This does not take into account units that are currently being developed.

**Table 30: Subsidized Housing Inventory in the Greater Lowell Region (2014-2022)**

Community	Year-Round Housing Units 2020	Total Subsidized Housing Inventory (SHI) Units			Percent SHI Units of 2020 Total	
		Jan 2014	May 2022	Percent Change	Jan 2014	May 2022
Billerica	15,460	857	1668	95%	5.5%	10.8%
Chelmsford	14,696	1,064	1434	35%	7.2%	9.8%
Dracut	12,304	719	606	-16%	5.8%	4.9%
Dunstable	1,145	0	0	N/A	0.0%	0.0%
Lowell	43,370	5,215	5127	-2%	12.0%	11.8%
Pepperell	4,588	129	130	1%	2.8%	2.8%
Tewksbury	12,098	1,030	1087	6%	8.5%	9.0%
Tyngsborough	4,622	340	476	40%	7.4%	10.3%
Westford	8,929	351	1069	205%	3.9%	12.0%
Greater Lowell region	117,212	9,705	11,597	19%	8.3%	9.9%

Source: Subsidized Housing Inventory Records: <https://www.mass.gov/info-details/subsidized-housing-inventory-shi>

**Table 32** provides a summary of Tyngsborough's current SHI, including individual projects and key attributes. No units are slated to have their affordability expire in the future.

**Table 31: Subsidized Housing Inventory Properties in Tyngsborough as of April 2024**

Project Name	Address	Total SHI Units	Built with a Comp Permit?	Affordability Expires	Type	Subsidizing Agency
Brinley Terrace	198 Middlesex Rd	58	No	Perp	Rental	EOHLC
Red Pine Terrace	186 Frost Rd	36	No	Perp	Rental	EOHLC
Live Oak Terrace	130 Coburn Rd	8	No	Perp	Rental	EOHLC
Red Pine Terrace	186 Frost Rd	18	No	Perp	Rental	EOHLC
Merrimac Landing	Middlesex Rd	76	Yes	Perp	Mix	FHLBB/ MassHousing
Maple Ridge	Off of Old Tyngsborough Rd	127	Yes	Perp	Mix	FHLBB/ MassHousing
DDS Group Homes	Confidential	36	No	N/A		DDS
Whispering Pines	Off of Lakeview Ave	4	Yes	Perp	Ownership	MassHousing
Wyndbrook at Tyngsboro	Off of Westford Rd	20	Yes	Perp	Ownership	FHLBB
Merrimac Commons	Off Middlesex Rd	64	Yes	Perp	Rental	MassHousing
Tyngsborough Village	65 Tyngsborough Rd	7	Yes	Perp	Ownership	MassHousing
Tyngsboro Crossing	111 and 115 Middlesex Rd	30	Yes	Perp	Ownership	MassHousing
Sherburne Ave	60 & 62 Sherburne Ave	16	No	Perp	Rental	EOHLC

Source: Subsidized Housing Inventory Records provided by EOHLC January 4, 2025.

### 5.3. Projected Housing Development

Projecting future housing unit development is difficult as market conditions can quickly change. This HPP utilized a number of information sources to develop a rough housing projection for the purpose of setting affordable housing goals.

As part of developing the HPP, NMCOG researched the housing inventory pipeline. For the purposes of this HPP, the housing pipeline was defined as all subsidized units and all other developments of five or more units that have been issued permits, are in the permitting process, or are otherwise known by the Town's planning department. There were no developments meeting these criteria currently in the pipeline.

When developing a local housing projection, it is also important to assess the accuracy of previous plans. The *Tyngsborough Housing Production Plan for 2020-2024* projected that Tyngsborough would add 83 units in 2020 (representing the completion of Merrimac Commons in addition to other pipeline developments), then roughly 40 per year through 2024 for a total of 205 new units, or 4,728 units by the end of 2024. The actual number of units at the end of 2024 as estimated by this HPP was 4,771, slightly exceeding the previous HPP's projected growth.

However, the SHI goal set by the HPP was not met. It set three scenario goals for annual affordable units: 142 new SHI units in a "maintenance" scenario, 153 in a 0.5% of total housing units scenario, and 268 in a 1.0% scenario. The actual number of units created was 96, which included one unit from Tyngsborough Village, 64 units from Merrimac Commons, 16 units from Sherburne Avenue, and 15 DDS Group Home beds.

Because there are no housing developments of five units or more in the pipeline, this HPP projects that if current conditions continue, the 10-year annual average number of new units permitted, not counting the large Tyngsboro Crossing, Merrimac Commons, and Enclave developments, will continue for the next five years. However, with the activities of this HPP such as encouraging housing production in MBTA districts, adjusting its zoning to allow ADUs, and allowing "missing middle" development in key areas, Tyngsborough may maintain its ten-year average while advancing the goals in the Tyngsborough Master Plan. **This results in a projection of roughly 42 total units completed per year.**

## C. Housing Affordability Analysis

If the Demographic Analysis could be considered an analysis of housing demand, and the Housing Inventory Analysis could be considered an analysis of housing supply, this section of the Comprehensive Needs Assessment combines supply and demand to analyze housing affordability and identify the gaps between Tyngsborough’s housing supply and demand.

### 1. Inflation Adjusted Median Income, Sales Price, and Rent

**Error! Reference source not found.** **Table 32** compares the inflation-adjusted change in median home sales price, rent, and income in Tyngsborough. Median rent and median income are five-year data expressed in the last year, while median home sales price is one-year data. Between 2013 and 2022, inflation-adjusted Median Home Sales Prices and Median Rent increased by 63% and 35% respectively. However, median Income only increased by 22%--income growth hasn't kept up with price growth.

**Table 32: Tyngsborough Median Home Sales Price, Rent, and Income in 2022 Dollars, 2013-2023**

Year	Median Home Sales Price	Median Rent	Median Income
2013	\$395,274	\$1,388	\$118,892
2014	\$491,855	\$1,342	\$119,190
2015	\$460,288	\$1,509	\$135,900
2016	\$480,920	\$1,289	\$125,737
2017	\$479,567	\$1,577	\$126,186
2018	\$517,627	\$1,315	\$132,769
2019	\$476,463	\$1,494	\$135,872
2020	\$550,345	\$1,498	\$136,438
2021	\$617,645	\$1,792	\$148,172
2022	\$646,137	\$1,876	\$145,260
2023	\$625,000	Not available	Not available

*Source: Home Sales Price: Warren Group, 2024. Median Rent and Median Income: U.S. Census Bureau, 2009-2013 – 2018-2022 American Community Survey Five-Year data, Tables B25031 and S1903. Adjusted through Bureau of Labor Statistics (BLS) Inflation Rate Calculator, which uses the average Consumer Price Index (CPI). Adjustment rate from May of last year of each ACS survey to May 2022.*

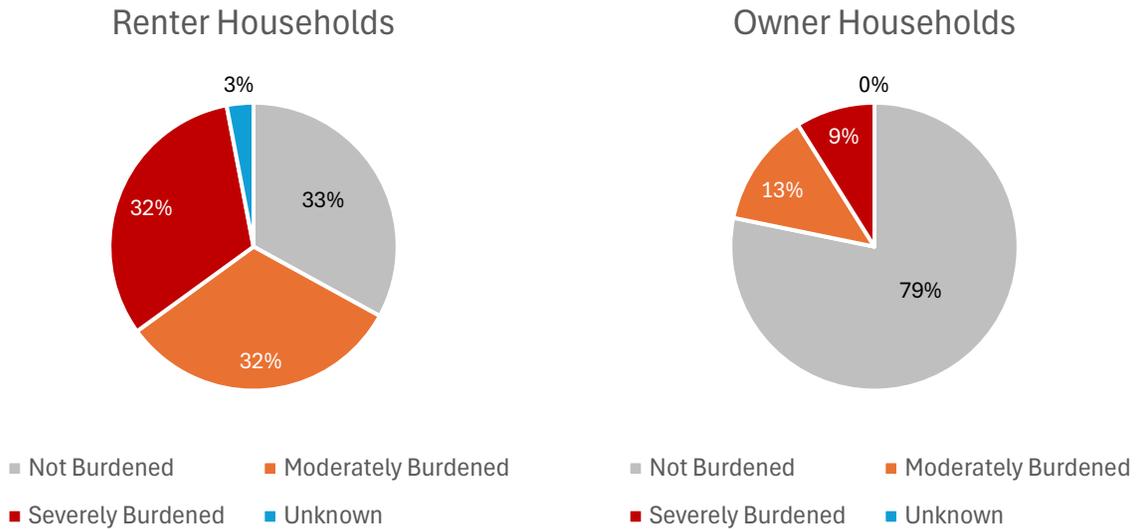
### 2. Housing Cost Burden

A household is defined as housing cost burdened if it spends more than 30% of household income on mortgage or rent and certain other costs such as insurance and utilities. Severe cost burden means a household is spending 50% of its income. Renters have become increasingly cost burdened. Two thirds of renters are now cost burdened to some degree. Owners have become only slightly more cost burdened.

**Table 33: Tyngsborough Residents Who Are Cost Burdened (2013-2017, 2018-2022)**

Housing Cost Burden	Renters				Owners			
	2013-2017		2018-2022		2013-2017		2018-2022	
	Households	Percent	Households	Percent	Households	Percent	Households	Percent
Not Burdened	325	53%	191	33%	2,946	79%	2,718	79%
Moderately Burdened	124	20%	181	32%	548	15%	434	13%
Severely Burdened	100	16%	185	32%	236	6%	305	9%
Unknown	63	10%	17	3%	18	0%	0	0%
<b>Total</b>	<b>612</b>	<b>100%</b>	<b>574</b>	<b>100%</b>	<b>3,748</b>	<b>100%</b>	<b>3,457</b>	<b>100%</b>

**Figure 11: Tyngsborough Residents Who Are Cost Burdened (2018-2022)**



Source: U.S. Census Bureau, 2013-2017 and 2018-2022 American Community Survey, Table B25095.

Housing cost burdened households are concentrated at the very low income and extremely low-income categories. Nearly three-quarters of extremely low-income households and nearly one third of very low-income households are severely cost burdened, meaning that these households are paying over half their income on rent and utilities.

**Table 34: Tyngsborough Cost Burdened Households By Income (2017-2021)**

Income Category	Not Burdened		Moderately Burdened		Severely Burdened		Total
	Households	Percent	Households	Percent	Households	Percent	
Extremely Low Income	85	3%	10	3%	220	70%	315
Very Low Income	135	4%	75	25%	95	31%	305
Low Income	95	3%	100	37%	75	28%	270
Moderate Income	270	9%	65	19%	0	0%	335
Above Median Income	2,560	82%	205	7%	35	1%	2,800
Total	3,140	78%	455	11%	425	11%	4,020

Source: Comprehensive Housing Affordability Strategy Data 2017-2021. [Consolidated Planning/CHAS Data | HUD USER](#)

Of all household types, non-families both elderly and otherwise are more likely to be cost burdened than families. However, the largest number in absolute terms of cost-burdened households are small families, and the largest number of severely cost-burdened households are non-elder, non-families.

**Table 35: Tyngsborough Cost-burdened Households by Household Type (2017-2021)**

Household Type	Not Burdened		Moderately Burdened		Severely Burdened		Total
	Households	Percent	Households	Percent	Households	Percent	
Elderly Family	400	74%	75	14%	65	12%	540
Small Family	1,635	81%	275	14%	118	6%	2,024
Large Family	550	96%	0	0%	20	4%	570
Elderly Non-Family	245	62%	70	18%	80	20%	395
Other Non-Family	315	66%	35	7%	135	28%	480
Total	3,145	78%	455	11%	418	10%	4,009

Source: Comprehensive Housing Affordability Strategy Data 2017-2021. [Consolidated Planning/CHAS Data | HUD USER](#)

### 3. Foreclosures and Evictions

While there are some racial discrepancies regarding mortgage application denials in Tyngsborough (see **A.7.3 Home Mortgage Disclosure Act (HMDA) Data on page 24**), the rate of foreclosure petitions remains very low. Tyngsborough saw 0.29 foreclosure petitions per 1,000 owner households between April and September of 2024. The number of foreclosure petitions submitted each year has also remained very low since 2016, between a low of 1 and a high of 29 annually.

By contrast, Tyngsborough saw a rate of 54.01 eviction filings per 1,000 renters, the highest in the NMCOG region over the same period.<sup>24</sup> This is the third-highest rate in the state, after the City of Randolph and the Town of Berlin.<sup>25</sup>

<sup>24</sup> "Housing Stability Monitor: Massachusetts Evictions and Foreclosures: Fourth Edition September 2024." Massachusetts Housing Partnership. Accessed January 8<sup>th</sup>, 2025. <https://www.mhp.net/news/2024/housing-stability-monitor>.

<sup>25</sup> Not counting the Town of Mt. Washington, which has only four rental units.

## 4. Gaps Between Existing Housing Needs and Current Supply

### 4.1. Owner-Occupied Housing Supply and Demand

There is a lack of supply of owner-occupied housing supply costing between \$50,000 and \$150,000 compared to demand. This means that if those currently occupying owner-occupied housing units had to buy at today's prices, they would not be able to afford it. There are 422 more units worth over \$400,000 than for which there is demand. There is a lack of attainable homeownership units and a surplus of more expensive units.

**Table 41: Tyngsborough Owner-Occupied Housing Supply versus Demand (2018-2022)**

Home Value	Estimated Demand	Estimated Supply	Mismatch
Less than \$50,000	77	96	19
\$50,000 to \$99,999	273	0	-273
\$100,000 to \$149,999	123	15	-108
\$150,000 to \$199,999	224	215	-9
\$200,000 to \$299,999	479	426	-53
\$300,000 to \$399,999	803	805	2
More than \$400,000	1,443	1,865	422
Total	3,422	3,422	0

Source: U.S. Census Bureau, 2018-22 American Community Survey, NMCOC Analysis

### 4.2. Renter-Occupied Housing Supply and Demand

Supply of units renting for \$600-\$1,249 is 286 units short of demand. There is a 286-unit surplus for units renting at \$1,250-\$2,499. Supply of units \$2,500 or more is 34 units short of demand. Overall, there's a lack of units at lower gross rents and a surplus of units from \$1,250 to \$2,499, which are not affordable to the renters currently in Tyngsborough. There may be some unmet demand for the highest-end units—or a possibility for those occupying rental units to purchase homes—although the number is relatively small.

**Table 42: Tyngsborough Renter-Occupied Housing Supply versus Demand (2018-2022)**

Gross Rent	Estimated Demand	Estimated Supply	Mismatch
Less than \$300 or no cash rent	113	112	-1
\$300 to \$599	159	194	35
\$600 to \$899	206	15	-191
\$900 to \$1,249	161	66	-95
\$1,250 to \$1,499	14	201	187
\$1,500 to \$2,499	29	128	99
\$2,500 or more	49	15	-34
Total	731	731	0

Source: U.S. Census Bureau, 2018-22 American Community Survey, NMCOC Analysis

## D. Affordable Housing Efforts

This section of the Comprehensive Needs Assessment provides information on the progress the Town has made during the performance of the *Tyngsborough Housing Production Plan for 2020-2024* and the current resources the Town may call upon for housing development. This is provided both as a baseline for continued improvement and to evaluate what agencies and resources may be utilized to advance goals defined in the next chapter.

### 1. Progress on Previous Plans

Tyngsborough has made steady progress on the specific and actionable goals of *Tyngsborough Housing Production Plan for 2020-2024* and the *2021 Tyngsborough Master Plan*. The specific actions, goals, and progress are listed in **Appendix 2: Previous Plan Analysis**. These goals primarily entail continuing to produce a variety of housing types for people with a wide range of socio-economic backgrounds. Overall, the Affordable Housing Trust continues to prioritize many of the same housing goals outlined in those plans.

Progress on these goals include a 16-unit rental property and 100 age-restricted units incorporated into the Enclave at Tyngsborough, an amendment to the Zoning Bylaw to expand the area where assisted living land uses can be located, and the adoption of the MBTA Communities Multifamily Overlay in three areas of town.

The Town of Tyngsborough is interested in making more of a concerted effort to work with the Tyngsborough Housing Authority and local non-profit and for-profit housing developers to address the housing needs of residents. As the Housing Authority has a new director, this presents an opportunity to foster more connections with local housing entities and coordinate housing efforts.

### 2. MBTA Communities

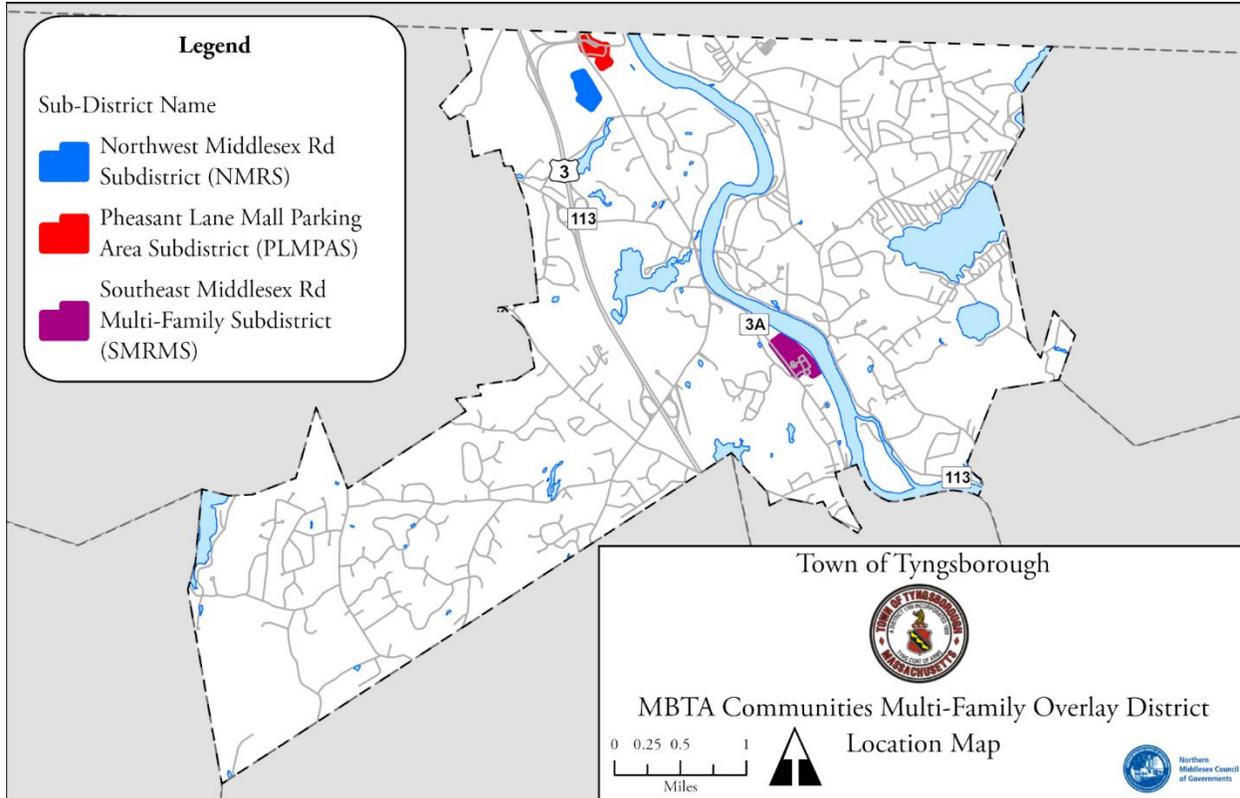
In 2020, the Commonwealth of Massachusetts added Section 3A to MGL Chapter 40A, titled "MBTA Communities Zoning Law." An MBTA Community is defined as a community that either contains, or is adjacent to a community that contains, an MBTA service. As Tyngsborough is adjacent to Lowell, which has an MBTA station, it is classified as an Adjacent MBTA Community.

This law requires all classified MBTA Communities to define a zoning district that allows multi-family housing by right, meaning that multi-family housing may be developed without the need for a special permit, variance, waiver, zoning amendment, or other special approval. The goal of this law is to increase both local housing stock and housing options in proximity to public transportation. Zoning districts must meet the following minimum criteria:

- Allow for a minimum gross density of 15 units per acre
- Be located not more than 0.5 miles from some form of public transportation, such as a commuter rail station, subway station, ferry terminal, or bus station, if applicable
- Have no age restrictions and be suitable for families with children

In April, 2023, Town Meeting voted to amend the zoning bylaw to create an MBTA Communities Multi-Family Overlay District in compliance with the law. The map of the approved subdistricts is below.

**Figure 12: Map of Tyngsborough's MBTA Communities Districts**



The Town voted to approve the following three zoning subdistricts:

1. The Northwest Middlesex Road Subdistrict (NMRS) consists of 14 acres on 3 split parcels and is currently vacant industrial land. It has a permit containing the majority of the district for self-storage. Development of housing is likely short to mid-term.
2. The Pheasant Lane Mall Parking Area Subdistrict (PLMPAS) is 11 acres and contains parking lots for the mall. Development of housing is likely mid to long-term.
3. The Southeast Middlesex Road Multi-Family Subdistrict (SMRMS) is 27 acres and is fully developed as residential condominiums. Development of housing is unlikely to long-term.

These first two subdistricts present Tyngsborough with new opportunities for multifamily housing production. MBTA Communities that successfully comply with the law are eligible for funds from the MBTA Communities Catalyst Fund to support activities related to housing creation, infrastructure improvements for housing, and acquisition of property for housing development. The Town should submit a grant application to the MBTA Communities Catalyst Fund during FY26 to receive funding to develop housing in these districts. Grant amounts can be between \$250k and \$1 million. Priority consideration is given to projects with any of the following criteria:

- Direct production of multi-family housing units.
- Direct production of affordable multi-family housing units that are permanently deed-restricted.
- Explicitly increase affordability levels below 80% AMI.
- Include multi-family housing components within mixed-use projects.

Given the interest in more commercial development around Tyngsborough Town Center, the Town may be able to obtain funding for housing development under this fourth and final priority category.

### **3. Affordable Housing Trust**

The Affordable Housing Trust was established in January of 2021. It focuses on the preservation and creation of affordable housing in Tyngsborough for low and moderate-income households using funds from Inclusionary Housing and the Community Preservation Act. Its primary tasks include:

- Utilizing the Housing Production Plan (HPP) to identify community needs and identify strategies to create affordable housing
- Forming relationships with local resources to assist with financing and planning for affordable housing development
- Evaluating the inclusionary zoning bylaw for improvements
- Representing the interests of low and moderate-income households when projects and developments are proposed that include or require affordable housing units

Currently, not all meetings have minutes publicly available on the Tyngsborough town website. No agenda or minutes were posted in 2023. Minutes reference an action plan, but this plan is not posted online. The Affordable Housing Trust has also acted as an Affordable Housing Advisory Committee, providing opinion on projects, proposed zoning amendments, and other matters of importance to the Town's affordable housing stock.

Currently, the Affordable Housing Trust does not have a funding source to undertake projects. Payment of a fee-in-lieu to the Affordable Housing Trust Fund was previously an option in the Town's inclusionary zoning provision of its zoning bylaw (see **Section E.1.3 Inclusionary Housing Regulation**). However, the only two developments that qualified were a comprehensive permit development providing on-site units and Enclave at Tyngsborough, which provided a donation of land. Since then, the fee-in-lieu option was removed from the zoning bylaw. Affordable Housing Trust Funds can also accept transfers from the Community Preservation Committee.

### **4. Community Preservation Committee**

The Community Preservation Act (CPA) was adopted in Tyngsborough in May 2001. This funding source provides a surcharge to local taxes that is matched by a fund operated by the state. Since then, it has generated \$17,092,316 in local and state match revenue. At least 10% of all CPA funding must be allocated to projects related to affordable housing, meaning that a minimum of \$1,709,231 must have been allocated to housing-related projects or set aside for housing-related projects.

The Community Preservation Committee (CPC) is tasked with reviewing projects that are seeking CPA funding and determining how CPA money will be spent. CPCs must create a Community Action Plan, although Tyngsborough CPC has not posted its Community Action Plan on its website. Below is a summary of Tyngsborough’s Community Preservation Act funds.

**Table 36: Tyngsborough Community Preservation Act Expenditures**

<b>Project</b>	<b>Action Taken</b>	<b>Date</b>	<b>Appropriation</b>
Programs related to community housing.	In progress.	June 2003	\$44,868
Study of status of community housing.	Unknown.	October 2006	\$8,500
Continued costs to develop community housing programs.	Unknown.	October 2007	\$4,000
Develop four affordable housing units at Red Pine Terrace, located at 186 Frost Road.	These units were built under the direction of the Tyngsborough Housing Authority, who also expended the funds.	May 2013	\$800,000
Study of the Tyngsborough Housing Authority.	In progress.	May 2016	\$30,000
Renovation and preparation of 11 Indian Lane to be added to the Town’s affordable housing inventory managed by the Housing Authority.	The Town is interested in marketing this single-family unit to a veteran and their family. This project remains in progress.	September 2020	\$250,000
Acquisition of an affordable unit that was being foreclosed on, located at Merrimack Way Unit C.	Auction was initially scheduled for before the Town Meeting, but the Town was working to delay the auction. Ultimately, this project was cancelled because the auction occurred before the vote.	May 2024	\$350,000
<b>Total (Not counting cancelled project)</b>			<b>\$1,137,368</b>
<b>Number of Affordable Units Created or Preserved</b>			<b>4</b>

Source: Community Preservation Coalition, [https://www.communitypreservation.org/cpc-report?report\\_src=bbzvidkqg|a=dr&rid=221](https://www.communitypreservation.org/cpc-report?report_src=bbzvidkqg|a=dr&rid=221)

This leaves at least \$571,863 set aside for affordable housing projects. One goal of the Affordable Housing Trust is to work with the CPC to be proactive about spending the unused funds.

### 5. Tyngsborough Housing Authority

The Tyngsborough Housing Authority’s mission is to provide high-quality public housing for community members in need. They manage two properties: Brinley Terrace and Red Pine Terrace. Brinley Terrace contains 56 one-bedroom apartments for elderly residents and residents living with a disability. Red Pine Terrace contains 31 one-bedroom apartments for elderly residents or residents living with a disability, one two-bedroom apartment for elderly residents or residents living with a disability, a four-bedroom congregate unit, and eighteen homes and apartments for families. All these units are a mix of two and three-bedroom units, two of which are handicapped accessible.

## **6. Tyngsborough Planning Department**

The Tyngsborough Planning Department is tasked with assisting with zoning interpretations and reviewing development plans to determine compliance with regulations. The Town Planner works with both the Planning Board and the Zoning Review Committee, which make recommendations and decisions on zoning and development policy for the Town. The Department also coordinates economic development activity in the town. The Planning Department, along with the Northern Middlesex Council of Governments, spearheaded the process of creating new residential zoning districts to comply with MGL c.40A (MBTA Communities Act).

## E. Development Constraints and Limitations

### 1. Zoning

Most land use development in Tyngsborough follows Euclidean zoning patterns, with residential, commercial, industrial, and recreational development remaining separate from each other. New development in Tyngsborough is primarily residential. In addition, zoning exclusively for single-family residential development occupies 3,234 parcels out of the town’s total 4,146, making up 78% of the town’s parcels. In comparison, a total of 177 parcels are zoned for mixed-use and multi-family zoning, only 4.2% of town’s parcels.

Though multi-family residential development is allowed, it is confined to only a small portion of Tyngsborough. Expanding this development option as a permitted use to more residential sections of town would set the stage to produce more housing options. Of the three MBTA zoning districts, two can be developed from vacant industrial land and parking into housing in the mid-term, expanding options for future residential development.

#### 1.1. Residential Districts

The Town of Tyngsborough is primarily a bedroom community, with over half of the town zoned as R-1, which only permits single-family homes by right, and temporary independent living quarters by special permit from the Planning Board. Neither the R-1 or R-2 districts permit two-family or multi-family residential developments. No other base districts permit any residential uses by right or by special permit besides temporary independent living quarters on existing nonconforming lots.

**Table 37: Types of Permitted Residential Uses**

Zoning District	R-1	R-2	R-3
Single-Family Dwelling	P	P	P
Two-Family Dwelling	O	O	P
Multi-Family Dwelling	O	O	SPB
Temporary Independent Living Quarters	SPB	SPB	SPB
P: Permitted Use, O: Prohibited Use, SPB: Special Permit – Planning Board			

Source: Town of Tyngsborough Zoning Bylaw, May 2023

While many dimensional requirements are the same for all residential districts, the R-1 district requires larger lots to build housing. The R-1 district requires a minimum lot area of 65,000 square feet, over three times the minimum 20,000 square-foot lot area required for the R-2 and R-3 districts. Lot frontage must also be a minimum of 200 feet, compared to 75 feet for the R-2 and R-3 districts. Side and rear yards in R-1 must be at least 30 feet, while in R-2 and R-3, they must be 20 and 15 feet respectively. Finally, R-1 requires at least 3% of lot area to be open space, while the R-2 and R-3 districts have no such requirement. As R-1 takes up a majority of Tyngsborough’s land area, producing additional housing under current zoning regulations is challenging due to the dimensional requirements.

**Table 38: Minimum Residential Lot Dimensions**

<b>Dimensions</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>Open Space Residential Development</b>
Minimum Lot Area (Square Feet)	65,000	20,000	20,000	35,000
Minimum Lot Frontage (Linear Feet)	200	75	75	100
Minimum Lot Width (Linear Feet)	50	50	50	75
Minimum Front Yard (Linear Feet)	30	30	30	50
Minimum Side Yard (Linear Feet)	30	20	15	30
Minimum Rear Yard (Linear Feet)	30	20	15	30
Maximum Building Height (Linear Feet)	36	36	36	

Source: Town of Tyngsborough Zoning Bylaw, May 2023

## 1.2. Special Permits

### *i. Temporary Independent Living Quarters*

This permit allows for the creation of accessory temporary independent living quarters to assist residents in caring for and housing family members. These living quarters must not exceed 1,200 square feet and must be directly connected to the main building, and accessible from either the front or side of the exterior of the building. This policy helps further goals of helping older residents age in place among loved ones and is a permit that can be pursued within all three residential zoning districts.

This type of accessory use is analogous to “Accessory Dwelling Units,” but does not meet the definition and requirements set forth by the August 2024 amendment to the state zoning act. More information is in Section 1.4 below.

### *ii. Open Space Residential Development*

This permit, granted by the Planning Board, allows for open space residential development in the R-1 zoning district for single-family detached units and accessory structures. The goals of this permit are to allow for a plan of development that encourages the preservation of land for purposes of conservation, acquisition, open space and recreational use, preserve historical resources, protect municipal water supplies, and to promote more sensitive site planning.

The minimum land parcel size for this permit is nine acres. The number of buildable lots in a development cannot exceed the number of lots that would otherwise be permitted in the zoning district where the parcel is located. In addition to the minimum dimensions presented in Table 35, the minimum distance from any structure in the Open Space Residential Development to the boundary of the permitted parcel is 100 feet.

This permit is fairly new and does not currently focus on increasing the overall housing capacity of land. Instead, its emphasis is on rearranging that capacity to preserve land within individual developments. To encourage its use and increase housing capacity without increasing the impact on land resources, Tyngsborough could provide a density bonus for OSRDs that provide other

community benefits such as access to open space, affordable housing, or infrastructure improvements, which would increase the number of housing units developed. Reducing the minimum land parcel size can also strengthen this permit, as there are only eleven parcels that can qualify for this permit.

*iii. Multifamily Development*

Tyngsborough’s multifamily development permit allows for construction of any structure designed to house three or more families with completely separate living quarters. The following requirements must be met for a special permit to be granted:

- Approval at Town Meeting.
- The site contains a minimum of five acres.
- The development uses existing public sewer and water systems.
- Traffic does not increase peak hour traffic on the street that provides access to the project site.
- Site design and stormwater facilities must be designed so as not to increase current flows in a twenty-five-year storm.
- There are no more than twenty-four units in a single structure and no more than eight units accessible from a single entrance.
- Yards must be at least four times the building height.

With a petition to the Planning Board, the number of dwelling units may be increased by 25% if the other requirements are met.

While possibly intended to facilitate the production of multifamily housing, the requirements of this policy make multifamily housing development unlikely. Most notably, approval at Town Meeting is a requirement that greatly increases the risk – and therefore expense – of any development. In addition, this permit only applies to the Residential-3 zoning district, which covers only 177 parcels over three small areas of town. Finally, the five acre lot size minimum and the density restriction of one unit per 20,000 square feet further reduces eligible sites and increases the costs of multifamily housing in eligible developments due to the cost of acquisition of the large amount of land.

These requirements combined make it highly unlikely that multifamily development of any size, including “missing middle” developments such as small triplexes, quads, or six-unit buildings that blend into traditional neighborhood centers. Eliminating the Town Meeting requirement of this permit, expanding the permit to apply to other residential zoning districts, and reducing the minimum lot size and square feet per unit will allow these smaller structures and increase the permit’s overall impact on housing production. Reducing the cap on number of units per structure could be instituted for smaller lots if density of very large lots is a concern.

### **1.3. Inclusionary Housing Regulation**

The Inclusionary Housing Regulation seeks to provide housing choices for people of all economic backgrounds, increase the supply of permanently affordable housing, and contribute to

Tyngsborough's Subsidized Housing Inventory. Any project that results in a new increase of seven or more residential dwelling units in a development other than a conventional subdivision requires either the construction of affordable units on-site, with at least 12% of the units being designated as affordable in perpetuity, or a donation of developable land to the Tyngsborough Housing Authority or the Affordable Housing Trust Fund. If the housing is age-restricted, 15% of the units must be affordable. If the housing is for assisted living or a continuing care campus development, 10% of the units must be affordable.

All affordable units must be dispersed throughout the site and must be indistinguishable from the market-rate units except for the interiors. In addition, the bedroom mix in the affordable units must be comparable to that of the market-rate units. They must also be developed concurrently with the market-rate units.

The inclusionary housing policy resulted in one donation of land enabling the creation of four affordable units since its creation, but since then, the options for paying fee-in-lieu and land donation options were eliminated due to two factors. First, the Town lacked staff capacity to calculate fee-in-lieu based on units constructed. It was also determined that the easiest way to ensure that affordable units are constructed is to require them to be incorporated into the development itself. Secondly, the Planning Board had difficulty navigating the land donation process for the Enclave at Tyngsborough development.

It is unknown whether a market study has been undertaken to determine whether market conditions support the inclusionary housing policy or if this dissuades certain types of development altogether. Because of the restrictions related to the multifamily permit and the lack of land availability for Open Space Residential Developments, the number of affordable units the inclusionary housing policy can produce is likely limited. An exception is within the MBTA Communities Districts, which allow multifamily as-of-right.

#### **1.4. Accessory Dwelling Units**

In August of 2024, the Zoning Act in the Commonwealth of Massachusetts was amended to allow Accessory Dwelling Units (ADUs) to be built by right in single-family zoning districts. Zoning regulations will take effect on February 2<sup>nd</sup>, 2025. The law states that ADUs must meet the following criteria:

1. Maintain a separate entrance that meets the requirements of the state building code for safe egress.
2. Be either no larger than half the gross floor area of the principal building or 900 square feet, whichever is smaller.
3. Meet all relevant municipal restrictions such as size or use as a short-term rental.

This new law presents Tyngsborough with an opportunity to expand housing choice by allowing ADUs by right, making them easier to produce under state law.

ADUs are analogous to Tyngsborough’s existing Temporary Independent Living Quarters, but the current Temporary Independent Living Quarter special permit does not fulfill the state’s requirements because they require a special permit, are required to be directly connected to the main building and are required to be occupied by family members or caregivers. Temporary Independent Living Quarters are allowed to be larger than the state’s 900 square foot definition, however, making them more flexible in size than state minimum requirements.

Given that only sixteen Temporary Independent Living Quarters have been built over the last decade, the Commonwealth’s ADU law may improve the process by which Tyngsborough residents can add an ADU to their property. Tyngsborough could choose to adjust the Temporary Independent Living Quarter section of its bylaw to meet the requirements, or it could add a new Accessory Dwelling Unit use and definition to exist alongside Temporary Independent Living Quarters.

### **1.5. Residential and Mixed Use Overlay Districts**

#### *i. Mixed Use Overlay Village District (MUVOD)*

The purposes of the Mixed-Use Village Overlay District (MUVOD) are to encourage a mix of business, commercial, professional, residential, and recreational uses and to promote compact, village-style development that is pedestrian-oriented and incorporates traditional architectural features compatible with the Town character. It includes the purpose to provide a variety of housing opportunities.

The MUVOD covers a small amount of land, approximately 55 acres, including a portion of B-3 and I-1 districts northeast of the intersection of Westford Road and Potash Hill Road, roughly two-thirds of a mile south of Town Center. In addition to uses allowed by the underlying zoning, the overlay allows multifamily dwellings, along with small business and industrial uses. Minimum lot areas must be 2 acres with 200’ minimum frontage and other dimensional standards. Although this is among the most flexible zoning in the bylaw, there has not been any proposals advanced under it.

#### *ii. MBTA Communities Overlay Districts*

As described in **Section D.2 MBTA Communities**, the Town created an overlay district over three areas to comply with Section 3A to MGL Chapter 40A. The combined areas of these districts is roughly 55 acres. The estimated capacity of the district is 821 units, although due to existing development and land use, the likely capacity is likely half that or less, with the 25 acres in the northernmost two areas near the New Hampshire border containing vacant land or parking lots with the best possibility of short to mid-term development.

The bylaw limits density to 15 units per acre, with a maximum building coverage of 20% and maximum of three stories, among other dimensional requirements. This might not support the transit-oriented development adjacent to the Pheasant Lane Mall that was envisioned by the community and rather encourage garden-style apartments centered in large parking lots. The Town may need to study this area to determine whether the overlay would produce the style of housing that meets the goals of this HPP.

## **2. Infrastructure and Service Limitations**

This section provides information on the existing sewer, water and transportation infrastructure and identifies the gaps in the infrastructure that present barriers to new residential development. This summary updates the information previously provided in the *2020-2024 Town of Tyngsborough Affordable Housing Production Plan*. The infrastructure in Tyngsborough is fairly complete and, in those areas where infrastructure is limited, the Town has requested the assistance of private developers in developing additional infrastructure.

### **2.1. Sewer Capacity**

Tyngsborough's public sewer system serves one-third of the town. The other two-thirds are supported by on-site septic systems. A Comprehensive Wastewater Management Plan was completed in 2008 and recommended a \$39.1 million sewer expansion to address expanding needs. Six areas were identified as being of top priority.

In 2012, the Sewer Design and Construction Committee was formed to determine possible financing methods to construct the expansions. The first phase of the expansion, located east of the Merrimack River on the New Hampshire border, known as the Sunset Park Area, was completed in 2018. Between 2016 and 2018, seventy-nine new residential sewer connections and six new commercial sewer connections were added.

While Tyngsborough is proactively working to increase its capacity to handle increased development, both residential and commercial, maintaining necessary sewer capacity adds an additional challenge to producing new housing.

### **2.2. Water Supply and Protection**

About 70% of Tyngsborough's residents get their drinking water from private on-site wells. The other 30% get drinking water from the Tyngsborough Water District, the Dracut Water Supply District, and North Chelmsford Water District. Water usage has substantially grown due to increased development, but conservation initiatives have led to decreased use more recently. Concerns about sufficient water supply also present a challenge to producing new housing.

### **2.3. Transportation Network**

Highway and roadway capacity is unlikely to be an issue if more housing is built in Tyngsborough. The Town of Tyngsborough is directly served by Route 3, through Westford Road, Kendall Road, and Middlesex Road. The Middlesex Road Corridor from Kendall Road to the New Hampshire State Line has been identified as a key project for road safety improvements by the Greater Lowell Vision Zero Plan. LRTA is expanding its bus service, with Sunday routes being added, and 30-minute schedules being reinstated. LRTA is also developing a bus line that will run between Tyngsborough and Nashua. This bus route is the #10 Dracut/Tyngsborough line. In addition, there is a Park and Ride located at 99 Kendall Road. This location has two hundred and fifty parking spaces, bike racks, and a bus shelter. Commuter bus service is provided at this location, taking users to Boston Logan International Airport, Boston South Station, and Nashua.

Classified as an adjacent community under the MBTA Communities Law, Tyngsborough received this designation due to being adjacent to Lowell, which has an MBTA Commuter Rail station. The New Hampshire Department of Transportation has proposed a service expansion that will use ten miles of MBTA railway between Lowell, MA and Nashua, NH. A potential location for a Tyngsborough rail stop is next to Pheasant Lane Mall, where one of the MBTA Communities Subdistricts is now located.

The Town of Tyngsborough manages four trails: Bell Trail, Hunter Trail, Shady Glade Trails, and Sherburne Nature Center and Trails. These trails and the surrounding land are preserved for recreation. The Sherburne Nature Center contains nature exhibits and serves as a public learning center. By strengthening connections with Nashua through improvements in public transportation and road expansion, the transportation network can help facilitate the development of more housing.

## **F. Key Findings**

Though the town's median income is increasing over time, its growth is not keeping up with that of rents or home sales prices. Homeowners' housing values are also growing at an alarming rate. Unsurprisingly, renters in Tyngsborough are becoming increasingly cost-burdened, while the proportion of cost burdened homeowners remains steady, due to homeowners buying their housing when costs were low and seeing their home values rapidly rise. Renters and new homebuyers have not experienced this benefit.

Tyngsborough's population is projected to grow over the next few decades, but the town's younger population appears to be facing challenges affording housing and starting new households. In addition, Tyngsborough's population is steadily becoming more racially and ethnically mixed, though it is currently still majority white. Many new residents, regardless of racial and ethnic background, are less likely to be able to afford the increased costs of single-family housing, and are therefore more likely to rent, meaning that housing tenure will take on racial and age-related patterns. Households who have been in Tyngsborough longer, and are more likely to identify as white, are more likely to own homes, while newer households are more likely to rent.

While Tyngsborough has met its Subsidized Housing Inventory goal of 10% of 2020 housing units being designated as affordable, there is a huge mismatch between supply and demand when it comes to lower-cost, market-rate housing. There is not nearly enough supply to meet demand for ownership housing valued at under \$300k, while there is plenty of housing valued at \$400k or more that there is little demand for. The rental market in Tyngsborough has the same issue, with a lack of supply of units costing \$600-\$1,249 per month where there is a significant amount of demand, but a surplus supply of units costing \$1,250-\$2,499 per month where there is little demand. Tyngsborough is now seeing an increased production of small townhouses and condominiums, which can increase the supply of more affordable housing units for a wider variety of household incomes. Continuing this trend can be one strategy to increase housing options for current and incoming residents.

Though current development patterns present restrictions to the development of more housing, there are some recent changes that present opportunities for the Town of Tyngsborough to produce more housing. Most notably, a new state policy allowing accessory dwelling units by right can help the Town produce more small-scale housing. The removal of payment in lieu as an option for developers looking to fulfill their inclusionary housing requirements also opens up potential for more units to be developed. Finally, with the approval of three MBTA Communities Subdistricts, more options for locating multifamily housing are possible under current zoning. Regardless, many of the existing barriers to housing development are tied to restrictions related to zoning and infrastructure. These restrictions form the basis of several of the final goals.

Overall, this Comprehensive Needs Assessment can be summarized into seven key findings:

**Housing prices are rising faster than median incomes.**

Between 2013 and 2022, the Median Home Sales Price increased by roughly 40% (up to \$625,000). By contrast, Median Income only increased by slightly more than 20% (up to \$145,260 per year). Income growth has not kept up with the growth of housing prices. There is a supply shortage of 381 housing units valued at \$50k-\$149,999 – this means that an estimated 381 households in Tyngsborough could not buy a house at today's prices if they didn't already own one.

**There is a need for homes to serve the 400 households that are severely cost-burdened households, most of them extremely low income.**

Households are considered "housing cost burdened" if they pay more than 30% of their income on rent or mortgage and utilities and "severely housing cost burdened" if they pay more than 50%. An estimated 400 households, nearly 10% of Tyngsborough's total households, are severely cost burdened. Most of those are extremely low income. This is partly because there is also a supply shortage of 286 rental units with rates at \$600-\$1,249 monthly. Many of these estimated 286 households rent more expensive units not because they can afford them, but because they are the only ones available, leaving little to save for down payments or emergencies. This was also reflected in public outreach, as many Tyngsborough residents cited concerns about long wait list times for affordable housing.

**There is a need for homes that are attainable for young people to establish new households.**

The population between 15-34 years old increased by 7% between 2000 and 2020, but the number of households headed by people in that age group decreased by 40% during that same time, meaning that young people are finding it harder to move from their parents' homes into homes of their own.

**There is a need for homes that are affordable to the town's workforce, which is largely at or below 80% Area Median Income.**

Average incomes in fields such as K-12 education and construction fall below 80% Area Median Income (AMI) for the Town of Tyngsborough. A couple working full-time making minimum wage falls at 47% AMI. The demand for homes that are affordable to 80% AMI is reflected in the number of

applications for a recent development's 80% AMI affordable units: 31 households applied for just four affordable units.

**Although the number of duplexes and multifamily units have increased, there is need for additional housing choice, including smaller and more accessible units.**

Single-family residential development takes up 3,234 parcels out of the Town's total 4,146, making up 78% of the Town's land. A total of 177 parcels covers mixed-use and multifamily zoning, only 4.2% of the Town's land area. However, the demand for smaller and accessible units is growing as families age – Tyngsborough's most quickly growing household type is seniors living alone (from 183 households to 406 between 2000 and 2020). Smaller units can also serve younger families as the average household size drops. This demand is reflected in Tyngsborough condominium sales prices growing more quickly than the state (inflation-adjusted \$273,946 in 2014 to \$400,000 in 2023).

**There is a need for support for the Town's most vulnerable, including those at risk of eviction.**

Tyngsborough saw a rate of 54.01 eviction filings per 1,000 renters, the highest in the NMCOG region between April and September 2024. This is the third-highest rate in the state, after the City of Randolph and the Town of Berlin. In addition, Tyngsborough has a smaller proportion of rental housing stock compared to Greater Lowell and the Commonwealth of Massachusetts, creating fair housing concerns.

**Housing development can and should advance the Town's Master Plan Goals.**

Tyngsborough's 2021 Master Plan included goals including Climate Change Resiliency, Protection of natural resources with special emphasis on the Merrimack River and wildlife habitat, creating an interconnected network of pedestrian and bicycle facilities, and more. Public comments reaffirmed these goals alongside the need to address housing affordability. Housing production can advance these goals through smart growth and principles that incorporate protection of and public access to natural assets while increasing the amount of attainable housing stock.

# CHAPTER 3

## Housing Goals

Housing Production Plans may include two types of goals:

- **Quantitative goals**, which are numerical targets such as the goal of producing several affordable units equal to 0.5% or 1.0% of year-round housing units as described in Section 1.A; and
- **Qualitative goals**, which describe aspirational statements of the types of housing being produced, people being served, or how needs are met.

This Housing Production Plan presents goals that were developed to address each of the Comprehensive Needs Assessment conclusions listed in Section 2.I. For each goal, a qualitative “indicator” was selected to track progress toward that goal. In the next chapter, an action plan of strategies to achieve the goals is laid out, including characteristics of ideal affordable housing, a list of potential sites selected based on those characteristics, regional partnerships to achieve shared goals, and other recommended zoning changes, policies, investments, or actions to achieve the goals.

## A. Affordable Housing Production Goal

The Housing Production Plan guidelines require that the HPP set an annual goal for housing production, pursuant to which there is an increase in the municipality’s number of SHI Eligible Housing units by at least 0.50% of its total units during every calendar year included in the HPP, until the overall percentage exceeds the 10% Statutory Minimum. There should be a direct link between the setting of these goals and the results of the needs assessment. The numerical goal should be based on the total year-round number of housing units.

Tyngsborough has achieved its 10% goal, so its goal is now to maintain 10% of total units as SHI units even as new market-rate units are added. In addition, there is still a shortage of units that are affordable to those at low, very low, and extremely low incomes: Tyngsborough would need to add 286 rental units with rent below \$1,250 to meet its current need, let alone projected needs.

The goal set by the Housing Production Plan guidelines is an annual goal of 23 units (0.5% of total existing units counted in the 2020 census). This HPP projected the creation of a total of 42 housing units, market rate and SHI, per year. Therefore, Tyngsborough’s goal of 23 units would require roughly 55% of new units to be on the SHI. This is reflected in **Table 39** below. This is an attainable goal, but would require an increase in SHI production, which averaged 5 SHI units per year in the last ten years.

### Goal 1: Maintain and Produce 23 Subsidized Housing Units Annually

Produce an average of at least 23 SHI units each year. This goal is reflected in **Table 39** below.

**Finding:** There is a need for homes to serve the 400 households that are severely cost-burdened households, most of them extremely low income.

**Indicators:** Number of units that are added to the SHI  
Number of existing deed-restricted units that remain on the SHI.

**Table 39: SHI-Eligible Housing Production Goal in Scenario A and Scenario B**

A: Year	B: End of Year Total Year-Round Units	C: Net new Year-Round units	D: End of Year SHI Units	E: Net new SHI units	F: Percent of Total Units on SHI	G: Percent of 2020 Census Count Total Units on SHI
2025	4,813	42	499	23	10.9%	11.3%
2026	4,855	42	522	23	11.2%	11.8%
2027	4,897	42	545	23	11.6%	12.3%
2028	4,939	42	568	23	12.0%	12.8%
2029	4,981	42	591	23	12.3%	13.3%

Source: NMCOG Analysis. This table estimates the total number of Year-Round units by starting at the number of units at the 2020 Decennial Census and estimating the additional units built in 2020-2024.

While year-round housing totals are updated by EOHLIC following the decennial Census, Tyngsborough should aim to maintain its 10% goal year-to-year. Column F tracks the percentage of each year’s projected total year-round housing units that would be on the SHI, while Column G tracks the percentage of 2020 year-round units that would be on the SHI.

## B. Other Goals

In addition to the Affordable Housing Production Goal, the Town identified seven additional major goals based on the key findings. The goals are listed below, along with the findings they are intended to address and the indicators that Tyngsborough can measure to determine if progress is being made on that goal.

### Goal 2: Diversify Housing Production

Create a wide range of housing options to meet the housing needs of a diverse population, both ownership and rental, emphasizing a variety of types of smaller units such as Accessory Dwelling Units (ADUs), duplexes, attached single family, and multifamily. Allowing for a wider variety of housing types and higher development densities in a larger proportion of the Town will help facilitate an increase in the stock of housing that younger people, families, and seniors can reasonably afford.

**Findings:** There is a need for homes to serve the 400 households that are severely cost-burdened households, most of them extremely low income;  
 There is a need for homes that are affordable to the town’s workforce, which is largely at or below 80% Area Median Income;  
 Although the number of duplexes and multifamily units have increased, there is need for additional housing choice.

**Indicator:** Number of ADUs, duplexes, single family attached, and multifamily apartments developed.

**Goal 3: Strategically Guide Production by Increasing Areas That Allow a Variety of Housing Types**

Allow and encourage housing production of diverse types in new areas that could be well-served by transit or in walkable locations while minimizing environmental impacts. Minimize barriers to production in these areas, which should include but not be limited to the new MBTA Subdistricts.

**Finding:** Although the number of duplexes and multifamily units have increased, there is need for additional housing choice, including smaller, more accessible, and more easily maintained units.

**Indicator:** Proportion of land area that allows development of attached units or multifamily units; Housing developed at the MBTA Subdistricts.

**Goal 4: Increase Number and Attainability of Units Affordable to Households that Make Low-, Very Low-, and Extremely Low-Incomes**

Create and maintain homes that are affordable to Low-, Very Low- and Extremely Low-Incomes and make sure these homes are attainable to the population that needs them by streamlining application processes. As Very Low- and Extremely Low-Income households typically require the most subsidy, pay special attention to homes affordable to these income levels.

**Findings:** There is a need for homes to serve the 400 households that are severely cost-burdened households, most of them extremely low income.

**Indicator:** Number of units affordable to low-, very low-, and extremely low-income households; Number of inclusionary units produced; Average length of time an applicant must wait to get approved for housing.

**Goal 5: Provide Options for First-Time Homebuyers**

Create more variety of types and sizes of ownership units, including types such as smaller single family detached, duplexes, and townhouses at accessible prices that could serve as starter homes and help households acquire these homes.

**Findings:** There is a need for homes that are attainable for young people to establish new households; Although the number of duplexes and multifamily units have increased, there is need for additional housing choice, including smaller and more accessible units.

**Indicator:** Number and size of for-sale units produced; Participants in first-time homebuyer programs.

**Goal 6: Increase the Number of Accessible Units**

Provide support for aging adults, veterans, and people with disabilities to live independently by increasing the number of fully Americans with Disabilities Act (ADA) accessible or adaptable housing units through new construction or conversion.

**Finding:** Although the number of duplexes and multifamily units have increased, there is need for additional housing choice, including smaller and more accessible units.

**Indicator:** Number of units for aging adults, veterans, and people with disabilities;  
Number of ADA Accessible or adaptable units

**Goal 7: Foster Housing Growth that Meets Housing Needs while Promoting Environmental Sustainability**

Allow and incentivize new development in locations that encourage smart growth and principles that incorporate public access to waterways, open space, recreational opportunities, and other assets.

**Finding:** Housing development can and should advance the Town's Master Plan Goals

**Indicator:** New commercial and housing developments adjacent to existing infrastructure.

**Goal 8: Affirmatively Further Fair Housing Across Tyngsborough and Assist the Most Vulnerable**

Ensure that all Tyngsborough bylaws and policies are compliant with new state and federal laws and monitor outcomes of these changes, including but not limited to the Affordable Homes Act, Multi-family requirement for MBTA Communities, and fair housing laws.

**Finding:** There is a need for support for the Town's most vulnerable, including those at risk of eviction.

**Indicator:** Racial discrepancies in mortgage acceptances and denials;  
Eviction filing and foreclosure petition rates.

# CHAPTER 4

## Implementation Strategies

The DHCD [now EOHLIC] Housing Production Plan Guidelines<sup>26</sup> state that HPPs should have an “explanation of the specific strategies will achieve its housing production goals as well as a time frame/schedule for achieving the housing goals identified.” The strategies in the Tyngsborough HPP are divided into five sections:

- A. **Implementation Strategies**, which are specific actions the town or other agencies will undertake to meet the goals articulated in the previous section;
- B. **Attributes of Proposed Residential or Mixed-Use Developments**, which is a list of attributes such as performance standards and location to guide siting and features of housing development;
- C. **Proposed Modifications to Zoning Districts**, which is a list of Implementation Strategies that modify zoning;
- D. **Land with Potential for Affordable Housing**, which are lists of specific parcels chosen based on the attributes described in Subsection B that the town will encourage Comprehensive Permit (40B) developments or will pursue issuing Requests for Proposals (RFPs); and
- E. **Regional Collaborations**, which is a list of Implementation Strategies that will require or would benefit from regional collaborations.

## A. Implementation Strategies

The following 26 strategies have been divided into five categories. These implementation strategies should be adapted and refined during the implementation period. In other words, strategies will require information gathering, analysis, study, and community process prior to their implementation. The lead agency and partners listed in the Action Plan for each strategy should work together in public processes to undertake the studies, determine whether and how the strategy could best address Tyngsborough’s goals, and build consensus on the appropriate actions.

### 1. Policy or Investment Strategies

#### 1.1. Encourage Comprehensive Permit (40B) developments that meet the attributes described in section 4.C, especially those on the list in section 4.E.

To effectively meet the goals of this Housing Production Plan, the Town should clearly communicate preferences for the type—for example, multifamily, townhouse, mixed-type—location, and design of affordable housing. Although not all attributes can be met in all circumstances due to funding restrictions, site constraints, or other issues, clearly communicating desired attributes has the potential to benefit both the community and developers. This includes providing prospective developers with application guidelines and meeting with them to ensure an understanding of the

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<sup>26</sup> "Housing Production Plan Section II. B of M.G.L. c. 40B Comprehensive Permit Projects Subsidized Housing Inventory Guidelines," DHCD (now EOHLIC), Updated 2014. Retrieved from <https://www.mass.gov/doc/hpp-guidelines/download>

development review process and timeline. Higher-quality developers are attracted to communities that clearly articulate their preferences in advance of proposals.

Mechanisms to encourage 40B development that meet desired attributes may include holding educational and outreach sessions about the HPP and continue discussions about the attributes highlighted in **Chapter 4, Section C** with potential developers, making sure the Zoning Board of Appeals and Select Board are aware of the attributes highlighted in that section and guide developers to meet those preferred attributes, and posting the HPP on the Town's website and in other locations to allow developers to learn more about opportunities when considering building in Tyngsborough.

*Advances all Goals*

**1.2. Develop connections between sites with existing affordable housing, potential for affordable housing, or high concentrations of housing to open space, services, and jobs. Include pedestrian, bicycle, and transit connections.**

To encourage alternative transportation, Tyngsborough should prioritize complete streets or trail connections that would provide access from housing to areas of local services or jobs, such as but Tyngsborough Town Center, Tyngsborough's schools, and commercial areas. This may also include exploring installation or improvement of sidewalks, bike paths, pedestrian trails, or transit shelters as part of larger developments.

*Advances Goals #3 and #7*

**1.3. Allow Transportation Demand Management (TDM), bicycle parking, or other transportation alternatives in lieu of required parking minimums to encourage a multimodal system that works for all types of users.**

As Tyngsborough adds more multifamily units, both affordable and market-rate, the importance of equitable access to alternative transportation options increases. This is critical both due to the need to consider transportation costs as part of overall housing affordability by offering opportunities to save time and money spent on transportation and to reduce traffic congestion, improving air quality, and decreasing energy consumption.<sup>27</sup>

Transportation Demand Management (TDM) refers to a package of policies and programs that are designed to reduce drive-alone trips and enable the transportation system to function more effectively and efficiently through measures that shift passengers from single-occupancy vehicle (SOV) travel. Specifically, TDM encourages using alternative travel modes (bicycling, walking, and

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<sup>27</sup> *Transportation Demand Management Case Studies and Regulations*, Metropolitan Area Planning Council (MAPC), 2015, retrieved from [http://www.mapc.org/wp-content/uploads/2017/10/TDM-FINAL-REPORT-7\\_15\\_0.pdf](http://www.mapc.org/wp-content/uploads/2017/10/TDM-FINAL-REPORT-7_15_0.pdf)

transit); promoting alternatives to SOV travel (teleworking, ridesharing including carpooling and vanpooling); and increasing the number of passengers in vehicles (carpooling and vanpooling).<sup>28</sup>

*Advances Goal #7*

**1.4. Maintain the Subsidized Housing Inventory list, keeping records of regulatory agreements, deed restrictions, home and rental prices, and other unit data.**

Tyngsborough currently has 476 units listed on the SHI, more than its goal of 10% of year-around units from the 2020 Census. Maintaining accurate records of units of this inventory as it continues to grow, including actual number of subsidized units, income or age restrictions, and other important elements that aren't captured in this Housing Production Plan, will assist in identifying gaps, setting new goals, and identifying strategies to maintain units that may otherwise fall off the inventory due to expiring agreements or foreclosures.

Effectively monitoring the SHI of affordable housing requires time and resources. NMCOG is currently piloting a Regional Housing Services Organization to ensure that communities across the region can achieve and maintain affordable housing goals, including maintaining existing subsidized housing inventories. In addition to compliance with local and state agreements, a high level of monitoring provides benefits to communities, to owners of deed-restricted affordable housing, renters of affordable housing, and people seeking affordable housing.

Additional information can be added to a local or regional database that is not in the state database, such as the number of income-restricted units in a mixed-income rental development. This information could be used to better prepare for when income-restricted units have expiring affordability, evaluate the supply of affordable housing compared to the demand in long-term planning, and assist those seeking affordable housing. This can also identify affordable housing developments that should be submitted to the Housing Navigator, which is a nonprofit and a website that maintains a public database of affordable housing options and information about those options. Tyngsborough should encourage owners of affordable housing that aren't currently listed on Housing Navigator to add their listings to the site. Information on the sale of deed-restricted homes should be advertised.

*Advances Goal #1*

**1.5. Promote and incentivize the development of Americans with Disabilities Act (ADA) and universally accessible housing units.**

The housing challenges survey indicated a lack of supply of ADA-accessible housing units compared to demand. Such units can accommodate individuals living with a disability, seniors, and veterans.

One way to increase accessibility for both residents of housing and visitors for those residents is to bring existing units to ADA or more stringent Universal Design standards. A major resource is the

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<sup>28</sup> *ibid*

Home Modification Loan Program. Other resources may be available as well. Tyngsborough should work with the Tyngsborough Council on Aging, AARP, and other agencies to identify and distribute information about programs that could provide improvements that would increase the accessibility of units. More information can be found at <https://www.mass.gov/service-details/hmlp-resources-and-links>

*Advances Goal #6*

## **2. Zoning Strategies**

### **2.1. Amend the Zoning Bylaw to allow mixed use and multifamily housing as of right or by special permit in the Industrial 1 Light District, paying attention to conflicts with neighboring land uses.**

Much of the land in the Industrial 1 Light District is not currently being used for commercial or industrial purposes. Therefore, the Town should study a zoning amendment to create a new overlay district along major highways, an expansion of the Mixed Use Village Overlay District (MUVOD), a new zoning district which includes commercial uses, or adjusting the existing Industrial 1 Light district to allow multifamily or mixed use by special permit or by right. The dimensional standards and other regulations should be adjusted to allow and encourage residential and mixed use to be oriented toward bus transit, walkability, and bikability. Any resultant zoning amendments should minimize potential conflicts with industrial uses.

*Advances Goals #2, #3, #5, and #7*

### **2.2. Identify zoning amendments in key locations to allow the production of single-family attached units, duplexes, triplexes, quadruplexes, and apartments.**

In the housing challenges survey, many respondents expressed concerns about the lack of housing options available. Specifically, affordable and entry-level housing options range from very limited to non-existent for young adults and families. Allowing for a wider variety of housing types and higher development densities in a larger proportion of the Town will help facilitate an increase in the stock of housing that younger people and families can reasonably afford. There is also a shortage of 286 units at rent rates between \$600 and \$1,249, while there is a surplus of 286 units at rent rates between \$1,250 and \$2,499. More housing options will even out supply and demand for housing at various price points.

Given that production of single-family housing increased the most between 2008 and 2022 (88%) compared to all other forms of housing, and the fact that 78% of Town land is currently zoned exclusively for single-family residential development, zones that allow for a wider variety of housing types and residential densities should be expanded to better accommodate local need. Furthermore, the Town's multifamily zoning permit process should be amended to better facilitate multifamily and missing-middle housing production. The Town should evaluate the best locations for these types of amendments taking into account the existing built form, infrastructure capacity, and community input.

*Advances Goals #2, #3, #5, and #7*

**2.3. Create a new residential zoning district with smaller minimum lot size and dimensional requirements near the Town Center and Mixed-Use Overlay Districts.**

Most of the land in Tyngsborough is zoned R-1, requiring a minimum 65,000 square-foot lot size with large frontage and yard setback requirements. The Town create a new zoning district or overlay district that would serve as an intermediate zone between the Mixed-Use Village Overlay District and Town Center, and the R-1 district that would allow for single family detached on smaller lots such as 10,000 square feet, creating a village-like district adjacent to these neighborhood centers. Reducing minimum lot size requirements will allow for more households to frequent businesses via foot or bike near Tyngsborough Town Center, and it would preserve more local green space in areas not targeted for growth. Finally, reducing the amount of land a developer needs to purchase to build a home will make building smaller homes more economically feasible.

*Advances Goals #2, #3, #5, and #7*

**2.4. Update the zoning bylaw to comply with the 2024 amendments to M.G.L. c.40A, the Zoning Act of the Commonwealth of Massachusetts, allowing accessory dwelling units (ADUs) in single-family zoning districts by right.**

The Affordable Homes Act was signed into law by Governor Healey on August 6, 2024, as Chapter 150 of the Acts of 2024. This act amended M.G.L. Chapter 40A, Sections 1A and 3 with a provision related to Accessory Dwelling Units that will become effective 180 days from the governor's signature in February 2025. The provision prevents municipalities from prohibiting or requiring special permits for ADUs in single-family residential zoning districts, prohibits owner occupancy requirements, and caps parking minimums to one space when the ADU is not within 0.5 miles from public transportation. Special permits are required for any additional ADUs on a property. Municipalities may apply reasonable regulations through administrative site plan review.

Tyngsborough should amend Section 7.4 of the Zoning Bylaw by either striking or rewriting the section, adding the new legal definition of ADUs, and amending the use and parking tables. Tyngsborough should also utilize regional and state educational resources to ensure best practices and compliance with M.G.L. Chapter 40A, Section 3 while advancing the HPP vision.

Effective February 2025, ADUs<sup>29</sup> will be allowed in single-family residential zoning districts by right. ADUs present an additional opportunity for more affordable living arrangements as well as help

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<sup>29</sup> An Accessory Dwelling Unit or ADU is defined as a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality, including, but not limited to, additional size restrictions and restrictions or

older residents age in place, so encouraging their further development expands options for smaller, more affordable housing options. Updating the Temporary Independent Living Quarters section of the Zoning Bylaw based on the law and regulations issued by the MA Executive Office of Housing and Livable Communities will help to encourage the production of ADUs to provide more housing options. ADUs present an opportunity for the production of smaller scale homes. The option of an ADU can allow household members to share the same property while maintaining separate living spaces or offers housing for a hired caregiver. Unlike tiny houses, ADUs are compact yet spacious enough to serve as a practical and affordable housing option for individuals, couples, and families. They can be attached and within the existing single family home or detached in an outbuilding on the same property.

*Advances Goals #2, #3, #4, #7*

## **2.5. Revise the Open Space Residential Development Bylaw.**

Tyngsborough's Open Space Residential Development bylaw allows owners of land in the R-1 district to apply for a special permit allowing them to submit a development plan to promote the preservation of open space. Currently, only eleven parcels of land qualify for this permit. The following changes to the bylaw will help increase the amount of affordable housing stock available in Tyngsborough while also increasing open space in proportion to new developments:

- Lower the development area threshold from 9 acres to 5 acres to allow for neighborhood cottage clusters
- Allow a density bonus for additional open space preservation or other community benefits
- Encourage or require the designated open space to be located in an area that is connected to other open spaces
- Combine with the TDM measures described in **Strategy 1.3**

*Advances Goals #2, #3, and #7*

## **3. New Plans or Studies**

### **3.1. Undertake planning and study to encourage the development of multi-family housing at the Northwest Middlesex Road and Pheasant Lane Mall Parking Area Subdistricts approved as MBTA Communities Districts.**

A master plan for the Pheasant Lane Mall Parking Area Subdistrict, possibly including the Northwest Middlesex Road Subdistrict, is vital to helping facilitate the development of housing at this location. These MBTA Communities Subdistricts are located in a historically underutilized area that is rich in amenities and could potentially be served by bus transit or even a MBTA Rail extension in the future.

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*prohibitions on short-term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term rental. (<https://www.mass.gov/info-details/mass-general-laws-c40a-ss-1a>).*

The plan would create a vision for transit-oriented development identify and overcome barriers to achieving that vision, and recommend amendments needed to achieve the plan. A master plan undertaken in cooperation with property owners may include evaluating the number of and type of units that could support transit-oriented development and that would be financially feasible, creating a preferred layout and massing of those units to understand if zoning needs to be adjusted to allow for the preferred layout, and evaluating infrastructure needs such as parking and sewer for that number of units. This master plan can then guide investments in infrastructure, advocacy for bus transit, adjustments to zoning, and marketing toward developers.

*Advances Goals #1, # 2, 3, and #7*

### **3.2. Monitor the Town's Inclusionary Housing zoning and conduct a market study to fine-tune the zoning every 5 years to amend and leverage the bylaw to make affordable housing.**

Since being adopted by the Town in May of 2018, the Town's Inclusionary Housing regulation in its Zoning Bylaw resulted in the donation of one parcel of land to create four affordable units. Since then, an amendment to the Zoning bylaw removed alternative methods by which a developer could achieve compliance, requiring that developers construct affordable units on the same site as the proposed development.

If the housing market is very strong, inclusionary zoning is an excellent way to produce affordable units, as developers anticipate a profit margin that could absorb the cost of the affordable units and leave enough anticipated profit to justify the risk. However, if the market is weaker, an Inclusionary Zoning regulation that is too onerous will reduce the number of units created, as developers determine the projects won't "pencil out" and choose not to proceed. For this reason, Inclusionary Zoning should be closely monitored and adjusted as market conditions change.

This would start with a market study to understand how many affordable units per market-rate unit a development at current construction costs and anticipated rental or sales income could bear. This would assist the Town in evaluating the Inclusionary Housing regulation and whether adjustments could or should be made to encourage additional affordable or market-rate housing development. This type of study can be undertaken by a consultant and should be conducted roughly every five years.

When evaluating the zoning, the Town should consider removing local preference requirements, which sets a policy and precedent that may not consistently align with housing needs or successfully create housing for the specified populations. Any amendments should be clearly communicated to developers and enforced consistently.

Finally, before and after market studies, the Town should engage in clear, two-way communication about the regulation. This will help set expectations for developers in terms of what they need to plan for in order to comply with the regulation, and tracking developers' responses to this change will provide a better understanding of how to use and tweak the Inclusionary Housing regulation to ensure it fulfills the Town's housing goals.

*Advances Goals #1, #2, #4, and #5*

**3.3. Work with NMCOG, the LRTA, and MBTA to evaluate potential service expansion, including a better understanding of desired destinations of those living in areas of high concentrations of housing and coordination with regional bus and rail.**

The Town has identified a need to prioritize transit in affordable housing development. This should include close coordination with NMCOG and the Lowell Regional Transit Authority (LRTA) to evaluate service expansion that may include reduced headways, additional routes, or other improvements to better connect existing or proposed concentrations of housing to their desired destinations, including both jobs and services.

*Advances Goal #7*

**4. Affordable Housing Trust Investments and Activity**

**4.1. Build partnerships between the AHT and nonprofit and state agencies through regular meetings.**

Invite key nonprofits and state agencies to present to the Affordable Housing Trust on a regular basis. The objective of these meetings should be to gain a deeper understanding of those agencies' needs and share the Town's affordable housing goals with those agencies to seek areas of collaboration. Agencies that the Affordable Housing Trust should reach out to include the Tyngsborough Housing Authority, Community Teamwork Inc, and EOHLC. These agencies should meet on a monthly basis to formulate a shared set of goals and identify opportunities for collaboration on working towards them.

*Advances All Goals*

**4.2. Study and potentially implement partnerships to create Tyngsborough-focused First Time Homebuyer and/or Emergency Rental Assistance programs with regional partners.**

Meetings that are developed as part of **Strategy 4.1** should include discussion about costs and options for First Time Homebuyer and/or Emergency Rental Assistance programs. First Time Homebuyer Programs provide loans, and payment plans to help with first home purchases. Such a program can benefit young professionals and families break into the local housing market and purchase a home that they can reasonably afford. Rental Assistance Programs can help renters keep their housing when they fall behind on payments or maintain housing costs at a rate affordable to the tenant. Such programming prevents tenants from losing their housing. It also offers a more affordable housing option for those who qualify. The Affordable Housing Trust may assist in educating Tyngsborough residents about existing programs, and Tyngsborough-specific programs could be developed in partnership with a regional agency through CPA or other funding sources.

*Advances Goals #4 and #5*

### **4.3. Develop a 5-year action plan for the AHT utilizing the priorities of this plan**

As of the completion of this plan, the Affordable Housing Trust Fund has not been funded and no source of funding has been identified. The next step in activating the AHT is to evaluate its funding needs and potential sources, which may include CPA funds. The value of an AHT is that it may move quickly on opportunities such as the foreclosure in 2024 (see **Table 36: Tyngsborough Community Preservation Act Expenditures**). However, the AHT must know what its strategic priorities are and have funds allocated to move on these opportunities.

An AHT Action Plan would utilize the strategies from this HPP and guide the AHT's actions and activities related to funding affordable housing. The purpose of the action plan would be as follows: to create a transparent and clear plan for use by the Board to communicate its work, goals, and priority initiatives to the community; to identify one or more areas of focus for the Trust based on available and anticipated resources combined with community-informed goals for the production and preservation of affordable housing; and to ensure that Trust resources are used to further the Town's goals and objectives in addressing local housing needs and related community goals. The Action Plan could also include a preference to be the "first in" as a required match for state or federal programs, a preference for using funds to create affordable to 60% AMI or lower when those units would not otherwise be created, or a preference for projects that aim to incorporate certain attributes.

Finally, as part of this plan, the AHT should routinely post agendas and minutes to encourage public involvement.

*Advances Goals #1, #4, and #6*

### **4.4. Increase coordination with the Tyngsborough Housing Authority to maintain current properties and potentially expand its inventory.**

The Tyngsborough Housing Authority (THA) currently manages two properties. Expanding the THA portfolio would provide an opportunity to meet the needs of households who make lower incomes and people with disabilities. The Town and THA should work collaboratively to assess potential opportunities for expansion, including rehabilitation of existing properties and new construction, and identify the capital and resources needed to pursue new housing opportunities.

*Advances Goals #1, #2, #4, and #6*

## **5. Public Outreach, Education, and Board Development**

### **5.1. Coordinate planning efforts for multiple committees through annual all-committee meetings to build shared goals.**

Coordinate planning efforts for open space, economic development, and affordable housing initiatives among the following boards and commissions: Planning Board, Select Board, Conservation Commission, Affordable Housing Trust Committee, Housing Authority, Historical Commission and Community Preservation Committee, and the Tax Possession Sales Committee around land acquisition to identify priority parcels for preservation, economic development, and the

creation of affordable housing. This could be through an annual all-committee meeting, similar to Westford's Strategic Planning Retreat in which committees and the public are invited to discuss townwide priorities, including housing, and how each committee fits into achieving that priority.

*Advances All Goals*

### **5.2. Promote the creation of ADUs through outreach and education**

While ADUs will be allowed as of right starting February 2025, tracking the rate, type, number of bedrooms, and location at which they are developed will be vital to evaluate the success of the ADU Section of the Zoning Bylaw and whether it indicates a need for more multifamily options in certain areas of town. In addition, this may help the Town understand the demographics of who benefits from ADUs. If ADU use appears to be limited, the Town may reach out with first a survey to understand the reasons for limited ADU usage and provide suggestions as to how to make ADUs more attractive as a housing use.

*Advances Goals #2, #3, #6, and #7*

### **5.3. Participate in the *At Home in Greater Lowell* Regional Housing Strategy, building upon its regional coordination and storytelling**

Housing challenges typically do not stop at local borders, and housing affordability in Tyngsborough is impacted by and impacts neighboring communities. NMCOG has received feedback in multiple planning processes that a lack of affordability and availability of housing as the most pressing economic and quality of life issue in Greater Lowell, which includes Tyngsborough and eight other communities. This has created a crisis of homelessness, severely impacted quality of life, and hindered regional firms' ability to recruit and retain talent. NMCOG communities have voiced support for a Regional Housing Strategy that will supplement and support local Housing Production Plans and other local policy and planning work.

In response to that need, NMCOG began work on the *At Home in Greater Lowell* Regional Housing Strategy. This process was underway when this plan was drafted. It not only includes measurable, achievable benchmarks and strategies based on data analysis and community input but also goes beyond this by documenting the first-hand experiences of people living in diverse housing situations in their own words. Furthermore, the plan's strategies and recommendations will include a toolkit of implementation and public education materials so our communities can take action. These three components come together to balance data with narrative—putting faces and stories behind the facts—and provide educational tools that communities can use to talk about housing policy and zoning.

Tyngsborough should utilize and build upon these outreach materials when they are available to educate about current housing challenges and their impact upon Tyngsborough residents, sharing other communities' methods of meeting similar challenges, educating on the varieties of types of affordable housing and their benefits, and creating a welcoming atmosphere in Town Hall by showing Tyngsborough residents how they can be involved in housing policy planning and

implementation, including participation in boards and committees. This could include partnerships with Tyngsborough's Media Program for public service announcements, social media campaigns, development of a mailing list, and grassroots outreach at local events.

*Advances Goals #2, #5, #7, and #8*

#### **5.4. Encourage or require land use committees such as the Planning Board and Zoning Board of Appeals to participate in annual fair housing training**

Fair housing training seeks to educate people on the legal requirements and best practices for complying with the federal Fair Housing Act. It is vital training for housing providers, property managers, and staff who interact with residents. Training covers fair housing laws, providing education about their history, enforcement, and challenges with contemporary housing discrimination. Participants learn how to identify protected classes and address discrimination based on race, color, religion, sex, disability, and English proficiency. Other topics include the creation and maintenance of policies and procedures to ensure compliance with Fair Housing Laws and the design and construction of buildings that are accessible to people living with disabilities. Sources of trainings include the Fair Housing Institute, the National Association of Housing and Redevelopment Officials (NAHRO), the National Fair Housing Training Academy (NFHTA), and the U.S. Department of Housing and Urban Development (HUD).<sup>30</sup>

*Advances Goal #8*

#### **5.5. Work with NMCOG to participate in and support a dashboard updated annually of Home Mortgage Disclosure Act (HMDA) data and Massachusetts Commission Against Discrimination (MCAD), including collaboratively determining key metrics to track, and share these data via the Town website and other channels.**

The HMDA requires many financial institutions to maintain, report, and publicly disclose loan-level information about mortgages. The Massachusetts Commission Against Discrimination (MCAD) is the independent state agency that enforces the Massachusetts anti-discrimination laws by investigating discrimination complaints to determine if the case may proceed to conciliation or a public hearing at the Commission. MCAD also offers remedial and preventative training, and publishes resources online such as model policies, posters, and guides.

For the purposes of regional housing planning, NMCOG is currently collecting data from both sources, which includes comprehensive information about home loans, socio-economic information about borrowers, and outcomes of loans, and tenant complaints related to discrimination. Tracking and analyzing this data over time can reveal whether there are intentional or unintentional patterns of discrimination in Tyngsborough and in the region. The Town should collaborate with NMCOG to

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<sup>30</sup> Gatewood, Jamie and Sam Goldberg. "Fair Housing Basics." Fair Housing Council of Oregon. Uploaded June 17, 2022. Accessed Jan. 15, 2025.

determine the best measures to track and the best way to publicly share this information on an annual basis.

*Advances Goal #8*

**5.6. Maintain and promote a list of banks and nonprofits that support or provide education and resources for first-time homebuyers.**

Merrimack Valley Housing Partnership, Mass Housing Partnership, Cambodian Mutual Assistance Association, Community Teamwork, Inc, MassHousing, and Habitat for Humanity of Greater Lowell, among other agencies, provide education and access to low-cost mortgages for qualifying first-time homebuyers. Local banks may also participate in many of these programs. The town should compile, maintain, and promote a list of these sources to be used for public education and to answer questions from existing and prospective residents.

*Advances Goal #5*

**5.7. Provide proactive guidance to housing developers on the Town's inclusionary housing policy.**

The Inclusionary Housing section of the Zoning Bylaw no longer allows developers the option of either paying fee in-lieu or donating land to fulfill its requirements. Clear communication will help set expectations for developers in terms of what they need to plan in order to comply with the ordinance. This could include outreach and meetings with known developers in the region, developing an easy-to-use guide that could be provided to developers, or clear messaging on the Town website. The intent of this proactive guidance is not only to interface with developers who have already contacted the town, but also with developers and landowners who might be considering development or redevelopment. This will reinforce the town's cooperative stance and affordable housing goals to prospective developers.

*Advances Goal #1*

**5.8. Promote water and energy conservation programs.**

Both water and energy conservation programs can ensure that the Town is able to accommodate housing demand and reduce costs for residents. The Town should promote these programs by partnering with utilities, nonprofits, or other agencies to bring such programs to Tyngsborough or promote existing programs.

*Advances Goal #7*

**5.9. Provide information about regional and community-based services to people at-risk of or experiencing housing instability, including foreclosure, eviction, and legal assistance.**

The Comprehensive Needs Assessment notes that there are a large number of households that are severely cost burdened who may be at risk of experiencing housing instability. In addition, some people that are at-risk or experiencing housing instability may not show in statistics, such as people

who may be staying temporarily with friends or relatives, delinquent on mortgages, or have other challenges not captured by census data. Although Tyngsborough saw 0.29 foreclosure petitions per 1,000 owner households between April and September of 2024, which is relatively low, Tyngsborough saw a rate of 54.01 eviction filings per 1,000 renters, the highest in the NMCOG region and third highest in the state over the same period.

In addition, the town, potentially as part of educational outreach contemplated previously, should provide information and resources to people at-risk of or experiencing housing instability. For example, there are a number of Foreclosure Assistance Programs available, including those that help avoid foreclosure and those that provide legal assistance during foreclosure. These include fixed-rate refinancing loans from MassHousing and Massachusetts Homeowner Assistance Fund.<sup>31</sup> In addition, the town may refer families who are at risk of housing instability to the HomeBASE Household Assistance program.

*Advances Goal #5 and #8*

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<sup>31</sup> "Foreclosure Prevention," MassHousing, retrieved 6/5/2023 from <https://www.masshousing.com/homeownership/homeowners/foreclosure-prevention>

## B. Action Plan

The above strategies have been arranged into a five-year action plan, with each year containing low, medium, and high priority activities. This is intended to help guide the Town to make steady progress toward the goals of the HPP and track its progress. The target completion date represents the year the town aims to complete studies and undertake strategies. However, these dates should be considered targets that may be adjusted as necessary.

**Table 40: Action Plan**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
<b>Policy and Investment Strategies</b>					
111	Encourage Comprehensive Permit (40B) developments that meet the attributes described in section 4.C, especially those on the list in section 4.E.	All	Planning Board, Affordable Housing Trust	Medium	Continuous starting Fall 2025
122	Develop connections between sites with existing affordable housing, potential for affordable housing, or high concentrations of housing to open space, services, and jobs. Include pedestrian, bicycle, and transit connections.	3, 7	Town Staff, Planning Board, CPC, Recreation	High	Continuous starting Summer 2025
133	Allow Transportation Demand Management (TDM), bicycle parking, or other transportation alternatives in lieu of required parking minimums to encourage a multimodal system that works for all types of users.	7	Planning Board	Low	2030
144	Maintain the Subsidized Housing Inventory list, keeping records of regulatory agreements, deed restrictions, home and rental prices, and other unit data.	1	Town Staff	High	Continuous, Already on-going
155	Promote and incentivize the development of Americans with Disabilities Act (ADA) and universally accessible housing units.	6	Commission on Disability, Planning Board	High	Continuous starting Fall 2025
<b>Zoning Strategies</b>					
211	Amend the Zoning Bylaw to allow mixed use and multifamily housing as of right or by special permit in the Industrial 1 Light District, paying attention to conflicts with neighboring land uses.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030

**Table 40: Action Plan**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
2022	Identify zoning amendments in key locations to allow the production of single-family attached units, duplexes, triplexes, quadruplexes, and apartments.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030
2023	Create a new residential zoning district with smaller minimum lot size and dimensional requirements near the Town Center and Mixed-Use Overlay Districts.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board, Historical Commission	Low	2030
2024	Update the zoning bylaw to comply with the 2024 amendments to M.G.L. c.40A, the Zoning Act of the Commonwealth of Massachusetts, allowing accessory dwelling units (ADUs) in single-family zoning districts by right.	2, 3, 4, 7	Town Staff, Planning Board	High	2025
2025	Revise the Open Space Residential Development Bylaw.	2, 3, 7	Zoning Board of Appeals, ConCom, Planning Board	Medium	2026
<b>New Plans or Studies</b>					
3021	Undertake planning and study to encourage the development of multi-family housing at the Northwest Middlesex Road and Pheasant Lane Mall Parking Area Subdistricts approved as MBTA Communities Districts.	1, 2, 3, 7	Affordable Housing Trust, Planning Board, Town Staff, Private Landowner	Medium	Continuous, Already on-going
3022	Monitor the Town's Inclusionary Housing zoning and conduct a market study to fine-tune the zoning every 5 years to amend and leverage the bylaw to make affordable housing.	1, 2, 4, 5	Town Staff, Planning Board	High	Begin study in 2028 for possible 2029 amendment
3023	Work with NMCOG, the LRTA, and MBTA to evaluate potential service expansion, including a better understanding of desired destinations of those living in areas of high concentrations of housing and coordination with regional bus and rail.	7	Town Staff, LRTA, Select Board	High	Continuous, Already on-going (Discussion planned for 2026)

**Table 40: Action Plan**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
<b>Affordable Housing Trust Investments and Activity</b>					
4.1	Build partnerships between the AHT and nonprofit and state agencies through regular meetings.	All	CPC, Town Staff, Affordable Housing Trust	High	2025
4.2	Study and potentially implement partnerships to create Tyngsborough-focused First Time Homebuyer and/or Emergency Rental Assistance programs with regional partners.	4, 5	Affordable Housing Trust	High	Launch effort in 2025 for completion in 2026
4.3	Develop a 5-year action plan for the AHT utilizing the priorities of this plan	1, 4, 6	Affordable Housing Trust	High	Continuous immediately upon adoption of HPP
4.4	Increase coordination with the Tyngsborough Housing Authority to maintain current properties and potentially expand its inventory.	1, 2, 4, 6	<b>Public Outreach, Education, and Board Development</b>		
<b>Public Outreach, Education, and Board Development</b>					
5.1	Coordinate planning efforts for multiple committees through annual all-committee meetings to build shared goals	All	Building Department, Planning Board	Low	Continuous, Already on-going
5.2	Promote the creation of Accessory Dwelling Units through outreach and education	2, 3, 6, 7	Town Staff, Planning Board, Select Board	High	2025
5.3	Participate in the At Home in Greater Lowell Regional Housing Strategy, building upon its regional coordination and storytelling	2, 5, 7, 8	Planning Board, Zoning Board of Appeals	High	Continuous, Launch effort Summer 2025
5.4	Encourage or require land use committees such as the Planning Board and Zoning Board of Appeals to participate in annual fair housing training	8	Town Staff	Low	Continuous starting 2026

**Table 40: Action Plan**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
555	Work with NMCOG to participate and support a dashboard updated annually of Home Mortgage Disclosure Act (HMDA) data and Massachusetts Commission Against Discrimination (MCAD), including collaboratively determining key metrics to track, and share these data via the Town website and other channels.	8	Affordable Housing Trust, Tyngsborough Housing Authority	High	Continuous starting 2025
566	Maintain and promote a list of banks and nonprofits that support or provide education and resources for first-time homebuyers.	5	Town Staff, Planning Board	High	Continuous immediately upon adoption of HPP
577	Provide proactive guidance to housing developers on the Town’s inclusionary housing policy.	1	Conservation Commission, Sustainability Committee	Low	Continuous, Already on-going
588	Promote water and energy conservation programs.	7	Town Staff, Affordable Housing Trust, Housing Authority	High	Continuous starting Fall 2025
599	Provide information about regional and community-based services to people at-risk of or experiencing housing instability, including foreclosure, eviction, and legal assistance.	5, 8	Planning Board, Affordable Housing Trust	Medium	Continuous starting Fall 2025

**C. Attributes of Proposed Residential or Mixed-Use Developments**

EOHLC Guidelines state that strategies should include “Characteristics of proposed residential or mixed-use developments that would be preferred by the municipality for example, infill development, cluster developments, adaptive re-use, transit-oriented housing, mixed-use development, and/or inclusionary zoning. Preferred characteristics should take into account the surrounding context of the built and natural environment. Characteristics placing special restrictions on the development of affordable housing, such as limiting size of affordable units, limiting diversity in types of housing, or applying other zoning constraints, will not be approved. In addition, affordable housing plans must comply with all state and federal fair housing laws” (c.3).

These attributes provide guidance and criteria for identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications and specific publicly

owned sites to consider for requests for proposals (RFP) to develop SHI Eligible Housing. These attributes also explain the expectations Tyngsborough has for affordable housing developments and provide guidance for the Zoning Board of Appeals (ZBA) when considering Comprehensive Permit applications. However, it should be noted that not all attributes can be met in all circumstances due to funding restrictions, site constraints, or other issues.

### **1. Type**

Tyngsborough prefers a mix of housing types arranged in a village style whenever possible. This would include single family detached units (cottages) on small lots, townhouses, and small multifamily structures of 4-8 units each.

Mixed use is possible but should be integrated into developments such that commercial uses are on the first floor and front main streets.

Other types of housing are appropriate depending on the context. For example, Tyngsborough would prefer that buildings in or near the MBTA Communities Multifamily Overlay District - Pheasant Lane Mall Parking Area Subdistrict have transit-oriented typology and design.

### **2. Location**

The following criteria relate to location:

- Developments within walking distance (.25 mi) to existing or planned transit stops or transit lines are highly preferred
- Within walking/cycling distance (.5 mi) of commercial areas that have job, shopping, or recreation opportunities is preferred
- Within walking/cycling distance (.5 mi) of amenities is preferred
- Development that utilizes existing sewer pump station capacity or where pump station capacity can be upgraded as part of the development is preferred
- Development that minimizes disturbance to large, contiguous tracts of preserved land such as infill development, development that incorporates access to undisturbed natural features, or development adjacent to commercial or multifamily areas is preferred
- Development that has access to US-3 or Middlesex Road is preferred

### **3. Design**

When possible, developments should meet applicable design standards articulated in the Tyngsborough Zoning Bylaw. All affordable units constructed or rehabilitated should be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. Affordable units within market-rate developments shall be integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of materials with other units. Interior features of affordable units shall comply in all respects with the minimum design and construction standards of EOHLIC for the Local Initiative Program or other applicable subsidies.

Features that encourage active transportation or transit are highly encouraged. In areas served or planned to be served by transit or with pedestrian connections to jobs, recreation, and shopping, this includes orienting buildings toward existing or planned sidewalks or transit. This includes bus shelters, indoor bicycle storage, and clear drop-off/pick-up zones whenever possible. This also includes electric vehicle (EV) charging stations as appropriate.

Existing natural features should be preserved and incorporated into design when appropriate and possible.

Other sustainability features that are preferred include:

- Energy – Features that go beyond minimum codes, especially when those features can reduce long-term maintenance costs or costs to tenants, such as tight weatherization and heat recovery ventilation; high-efficiency heating system, controls, lighting, and appliances; and integration of solar or other alternative energy technologies
- Storm water – Appropriate best management practices (BMPs) for stormwater management, including green infrastructure, rain barrels, or other stormwater management strategies
- Open space – Ecologically-beneficial open space such as habitat, pollinator gardens, space suitable for food production, green walls or roofs, or other open space creation that may be affordably integrated into site design
- Light pollution – Appropriate and adjustable brightness for outdoor lights, elimination of light trespass, and promotion of “dark sky” measures
- Water efficiency – Minimization of vegetation requiring permanent irrigation, water-efficient fixtures such as toilets, faucets, washers, and other water-consuming appliances
- Indoor air quality – Moisture control plans, create handling plans for Volatile Organic Compound (VOC) emission, and ventilation
- Construction – Best practices during construction to mitigate or minimize run-off, solid waste, disturbance to habitat, and other temporary and permanent construction impacts

#### **4. Re-use**

Adaptive re-use is highly preferred by the Town, which may include formerly commercial units or other structures.

#### **5. Density and Scale**

The Town prefers a mix of scales and densities to a single building type when the site allows.

#### **6. Affordability Performance Standards**

The Town prefers deeper levels of affordability whenever possible. This includes 30% AMI, 50% AMI, and 60% AMI levels. The Town prefers for developments to be mixed-income, that is, a mix of market rate and affordable units.

## D. Proposed Modifications to Zoning Districts to Create SHI Units

EOHLC Guidelines state that strategies should include “The identification of zoning districts or geographic areas in which the municipality proposes to modify current regulations for the purposes of creating SHI Eligible Housing developments to meet its housing production goal. Zoning indicates a community’s interest in the types of uses to be encouraged. The zoning strategy should identify points where the zoning needs to be changed to accommodate additional dwelling units: Can density be increased? Can accessory apartments be accommodated? Are upper story residential units allowed in commercial districts? In identifying geographic areas, communities must ensure that any constraints can be overcome in a timely and cost-effective manner. Additionally, communities should consider the Commonwealth’s Sustainable Development Principles at: <http://www.mass.gov/hed/docs/dhcd/cd/smartgrowth/sdprinciples.pdf>.” (c.1).

The proposed modifications to zoning districts to create SHI units are listed in the following table.

**Table 41: Proposed Modifications to Zoning Districts to Create SHI Units**

No.	Strategy	Goals Advanced	Lead, Partners	Priority	Target Completion
<b>Zoning Strategies</b>					
21	Amend the Zoning Bylaw to allow mixed use and multifamily housing as of right or by special permit in the Industrial 1 Light District, paying attention to conflicts with neighboring land uses.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030
22	Identify zoning amendments in key locations to allow the production of single-family attached units, duplexes, triplexes, quadruplexes, and apartments.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board	Medium	2030
23	Create a new residential zoning district with smaller minimum lot size and dimensional requirements near the Town Center and Mixed-Use Overlay Districts.	2, 3, 5, 7	Zoning Board of Appeals, Select Board, Planning Board, Historical Commission	Low	2030
24	Update the zoning bylaw to comply with the 2024 amendments to M.G.L. c.40A, the Zoning Act of the Commonwealth of Massachusetts, allowing accessory dwelling units (ADUs) in single-family zoning districts by right.	2, 3, 4, 7	Town Staff, Planning Board	High	2025
25	Revise the Open Space Residential Development Bylaw.	2, 3, 7	Zoning Board of Appeals, ConCom, Planning Board	Medium	2026

## E. Land with Potential for Affordable Housing

### 1. Privately-Owned Land

EOHLC Guidelines state that strategies should include “The identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications. Identification of specific sites should be consistent, to the greatest extent possible, with Sustainable Development Principles. Strategies should include any proposed zoning changes, advantages to construction on the site, an acknowledgement of site constraints, and the costs to overcome such constraints” (c.2).<sup>32</sup>

The Town of Tyngsborough will encourage the filing of Comprehensive Permit applications on any site listed in **Table 42**.

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<sup>32</sup> "Housing Production Plan Section II. B of M.G.L. c. 40B Comprehensive Permit Projects Subsidized Housing Inventory Guidelines." DHCD, Updated 2014. Retrieved from <https://www.mass.gov/doc/hpp-guidelines/download>

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
Pheasant Lane Mall Parking Area Subdistrict (435 Middlesex Road, Parcel #11-20 and #11-23A)	12.3	11.4	Parking Lot	<ul style="list-style-type: none"> <li>• Neighborhood contains primarily nonresidential uses, including retail, personal service, food service, entertainment and professional uses.</li> <li>• Allowing residential uses (through mixed use or residential alone) could provide additional consumer and employment bases.</li> <li>• Mixed use developments could also be allowed in the zoning to increase the commercial tax base.</li> <li>• Current area is buildable, already disturbed, and has access to sewer/water</li> <li>• With access to Route 3 and location on Middlesex Road, development here would have minimal if any impacts on existing residential neighborhoods</li> </ul>	B3 - MCMOD	No

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
413 Middlesex Road	10.2	9.9	Restaurant	<ul style="list-style-type: none"> <li>• Current restaurant use with wooded area behind</li> <li>• Desire to retain restaurant use, potentially could integrate housing behind existing restaurant, combined other parcels in/near MCMOD District</li> <li>• With access to Route 3 and location on Middlesex Road, development here would have minimal if any impacts on existing residential neighborhoods</li> </ul>	B-3	Yes
395 Middlesex Road	25.3	26	Vacant	<ul style="list-style-type: none"> <li>• Owned by New England Power Co, but power lines only occupy portion of property</li> <li>• Remaining parcel cleared</li> <li>• Potentially could subdivide parcel for housing adjacent to PLM Parking Area Subdistrict area?</li> </ul>	B-3	Yes

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
Northwest Middlesex Rd Subdistrict (406 Middlesex Road, Parcel #11-2, #11-3, and #12-29A)	15.1	14.7	Vacant	<ul style="list-style-type: none"> <li>• Portion of two (2) parcels with split zoning.</li> <li>• Adjacent to the commercial portion of the parcel.</li> <li>• Potential residential use could promote the existing commercial, retail and service establishments and potentially create a demand for additional similar uses.</li> <li>• Small number of wetlands are in western area, otherwise this area is buildable.</li> <li>• With access to Route 3 and location on Middlesex Road, development here would have minimal if any impacts on existing residential neighborhoods</li> </ul>	I1-MCMOD	No
0 Route 3 (12-29A)	55	29.4	Vacant	<ul style="list-style-type: none"> <li>• Steep slope and Access challenges</li> <li>• Potentially could be combined with 406 Middlesex Road to create stronger design</li> </ul>	I-1	Yes
406 Middlesex Road	29	28.4	Vacant	<ul style="list-style-type: none"> <li>• Potentially could be combined with portion within MBTA Subdistrict to create stronger design</li> </ul>	I-1	Yes

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
422 Middlesex Road	4.0	3.6	Restaurant	<ul style="list-style-type: none"> <li>Restaurant use on Middlesex Road</li> <li>Desire to retain restaurant use, potentially could integrate housing in rear of parcel with other parcels in MCMOD District</li> <li>Some of rear area is in floodplain or wetland areas</li> </ul>	Split, develop in I-1	Yes
352 Middlesex Road	6.7	6.7	Commercial Office Building	<ul style="list-style-type: none"> <li>Commercial Space, Owners recently submitted to add an additional "Building Trade Shop" structure</li> <li>Desire to retain commercial use, potentially could integrate housing behind commercial area</li> </ul>	Split, develop in I-1	Yes
84 Kendall Road	27.0	21.2	Vacant	<ul style="list-style-type: none"> <li>Wetlands near center and western edge</li> <li>Proposed to be Assisted Living/Continuing Care facility, encourage affordable units and potentially encourage integration into neighborhood</li> <li>Potentially combine with other Kendall sites</li> </ul>	B-2	Yes
88 Kendall Rd.	1.0	1.0	Single Family Dwelling	<ul style="list-style-type: none"> <li>Previously disturbed, flat</li> <li>Potentially combine with other Kendall sites</li> </ul>	B2	Yes
86 Kendall Rd	1.0	1.0	Single Family Dwelling	<ul style="list-style-type: none"> <li>Previously disturbed, flat</li> <li>Potentially combine with other Kendall sites</li> </ul>	B-2	Yes

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
98 Kendall Rd.	36.2	27.5	Vacant	<ul style="list-style-type: none"> <li>• Vacant, forested land</li> <li>• Wetlands to south of land</li> <li>• Adjacent to street</li> <li>• Potentially encouraging housing near park-and-ride and conserving wooded area behind street</li> <li>• Encourage woodland access as part of development</li> <li>• With access to Route 3 and location on Middlesex Road, development here would have minimal if any impacts on existing residential neighborhoods</li> </ul>	B-2	Yes
9 Farwell Rd.	1.9	1.50	Vacant	<ul style="list-style-type: none"> <li>• Near commercial area and library</li> <li>• Riverside land</li> <li>• Vacant</li> <li>• Site line constraints</li> <li>• Flood plain and river buffer on portion of lot, other portion is ideal for housing</li> </ul>	Split, B-2 and R-1	Yes
2 Jocelyn Ave	2.0	2.0	Single Family Dwelling	<ul style="list-style-type: none"> <li>• Lot recently subdivided for single family dwelling, potentially encourage combination of remaining land for cottage cluster affordable housing.</li> <li>• Access issues, frontage is on paper street</li> <li>• Within wetlands buffer</li> </ul>	Split R-1 and R-2	Yes

**Table 42: Privately-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
0 Westford Rd (21-23-1A-1)	2.5	2.5	Vacant	<ul style="list-style-type: none"> <li>• Vacant</li> <li>• No wetlands</li> <li>• Within Mixed Use Overlay</li> <li>• Currently proposed for a faith-based development. Potentially encourage proposals for housing within development.</li> </ul>	MUOD	No
0 Westford Rd (21-23-1A-2)	2.5	2.5	Vacant	<ul style="list-style-type: none"> <li>• Vacant</li> <li>• No wetlands</li> <li>• Within Mixed Use Overlay</li> <li>• Currently proposed for a faith-based development. Potentially encourage proposals for housing within development.</li> </ul>	MUOD	No
50 Westford Rd	16.3	16.3	Vacant	<ul style="list-style-type: none"> <li>• Vacant</li> <li>• No wetlands</li> <li>• Within Mixed Use Overlay Potentially encourage proposals for housing within development.</li> <li>• Currently proposed for a faith-based development. Potentially encourage proposals for housing within development.</li> </ul>	MUOD	No
160 Westford Rd	6.2	6.0	Vacant	<ul style="list-style-type: none"> <li>• Vacant</li> <li>• No wetlands</li> <li>• Within Mixed Use Overlay</li> </ul>	MUOD	No
0 Norris Rd	9.3	7.6	Vacant	<ul style="list-style-type: none"> <li>• Flag lot behind single family dwellings</li> <li>• Wetlands toward front of parcel</li> </ul>	R-1	Yes

**2. Publicly Owned Land**

EOHLC Guidelines state that strategies should include “Identification of municipally owned parcels for which the municipality commits to issue requests for proposals (RFP) to develop SHI Eligible

Housing, including information on appropriate use of the site, and a timeline for the issuance of an RFP. DHCD [now EOHLC] can provide some assistance in the development of such an RFP” (c.4)

The Town of Tyngsborough will actively explore developing requests for proposals for affordable housing on sites listed in **Table 43**.

**Table 43: Publicly-Owned Land with Potential for Affordable Housing**

Site	Acres	Estimated Developable Acres	Current Use	Characteristics	Zoning District	Zoning Amendment Needed?
11 Indian Ln.	0.7	0.7	Single Family Dwelling - Vacant	<ul style="list-style-type: none"> <li>Owned by Commonwealth</li> <li>In conversation to acquire and convert to affordable housing</li> <li>Consider zoning amendment to allow for duplex</li> </ul>	R-3	Yes
Longwood Road (32A-141)	0.8	0.8	Vacant	<ul style="list-style-type: none"> <li>Within single family district, potential for subdivision and single family detached affordable home</li> <li>Nearby development patterns are single family dwellings on roughly 0.2 – 0.25 acre lots</li> </ul>	R-1	Yes
15 Descheneaux Ln.	1.6	1.6	Vacant	<ul style="list-style-type: none"> <li>Owned by Town</li> <li>Wooded area</li> </ul>	R-1	Yes
130 Coburn Road	7.9	6.9	Housing Authority	<ul style="list-style-type: none"> <li>Wooded area in rear, possibility of expansion</li> <li>Near Early Childhood Center</li> </ul>	R-1	Yes

**F. Regional Collaborations**

The strategies listed in **Table 44** involve working in collaborations with other municipalities or regional nonprofits to advance shared housing goals.

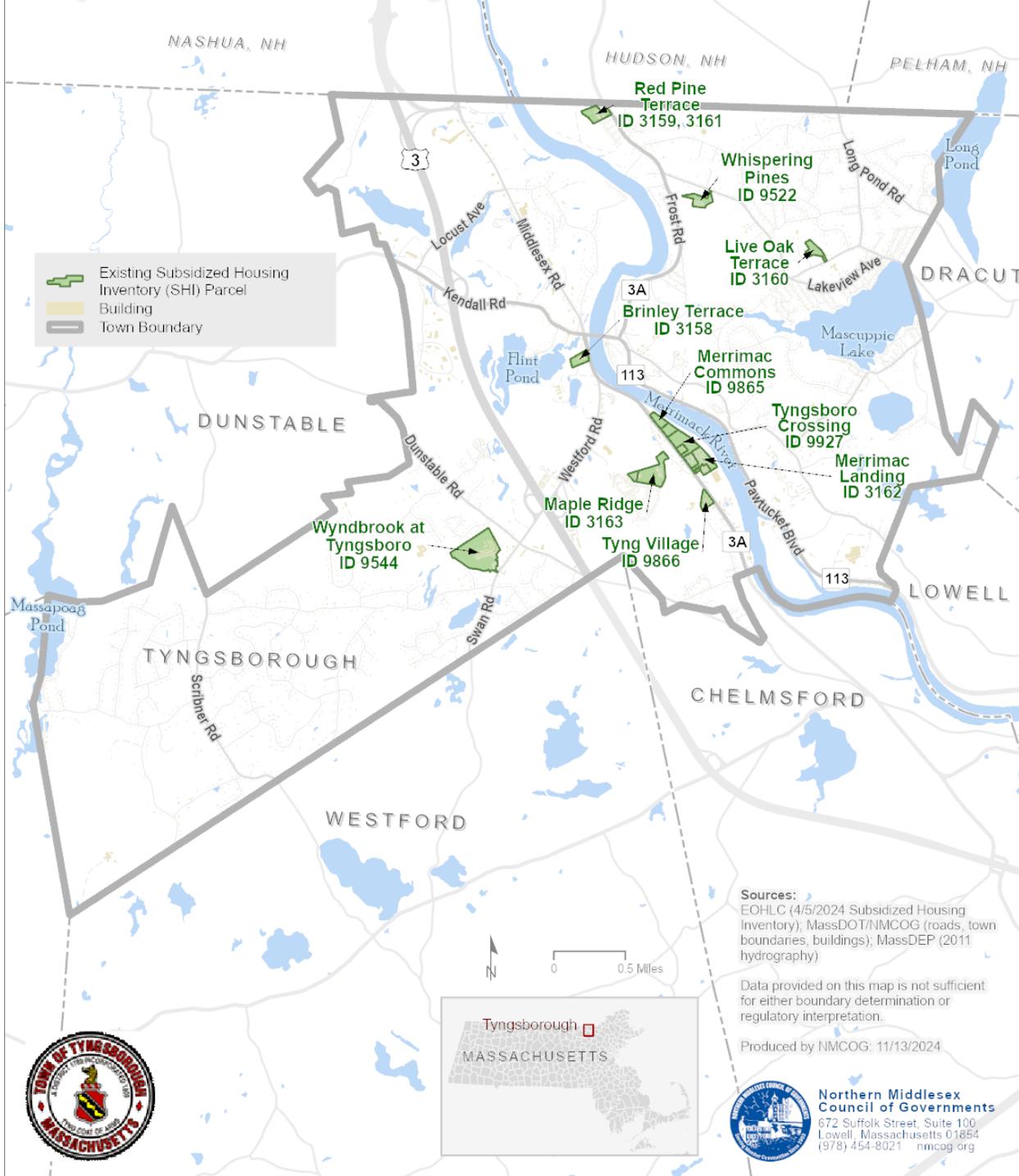
**Table 44: Strategies that Include Regional Collaborations**

No	Strategy	Possible Partners
3.1	Encourage the development of multi-family housing at the Northwest Middlesex Road and Pheasant Lane Mall Parking Area Subdistricts approved as MBTA Communities Districts.	NMCOG
3.3	Work with NMCOG, the LRTA, and MBTA to evaluate potential service expansion, including a better understanding of desired destinations of those living in areas of high concentrations of housing and coordination with regional bus and rail.	NMCOG, LRTA, MBTA
4.1	Build partnerships between the AHT and nonprofit and state agencies through regular meetings.	Common Ground, CBA, CHOICE, CHAPA, MHP, EOHL, NMCOG
4.2	Study and potentially implement partnerships to create Tyngsborough-focused First Time Homebuyer and/or Emergency Rental Assistance programs with regional partners.	CTI, MVHP
5.3	Participate in the At Home in Greater Lowell Regional Housing Strategy, building upon its regional coordination and storytelling	NMCOG, Other Municipalities
5.5	Work with NMCOG to participate and support a dashboard updated annually of Home Mortgage Disclosure Act (HMDA) data and Massachusetts Commission Against Discrimination (MCAD), including collaboratively determining key metrics to track, and share these data via the Town website and other channels.	NMCOG, Other Municipalities
5.6	Maintain and promote a list of banks and nonprofits that support or provide education and resources for first-time homebuyers.	MVHP
5.9	Provide information about regional and community-based services to people at-risk of or experiencing housing instability, including foreclosure, eviction, and legal assistance.	CTI, EOHL, Northeast Legal Aid

# Appendix 1

## Maps

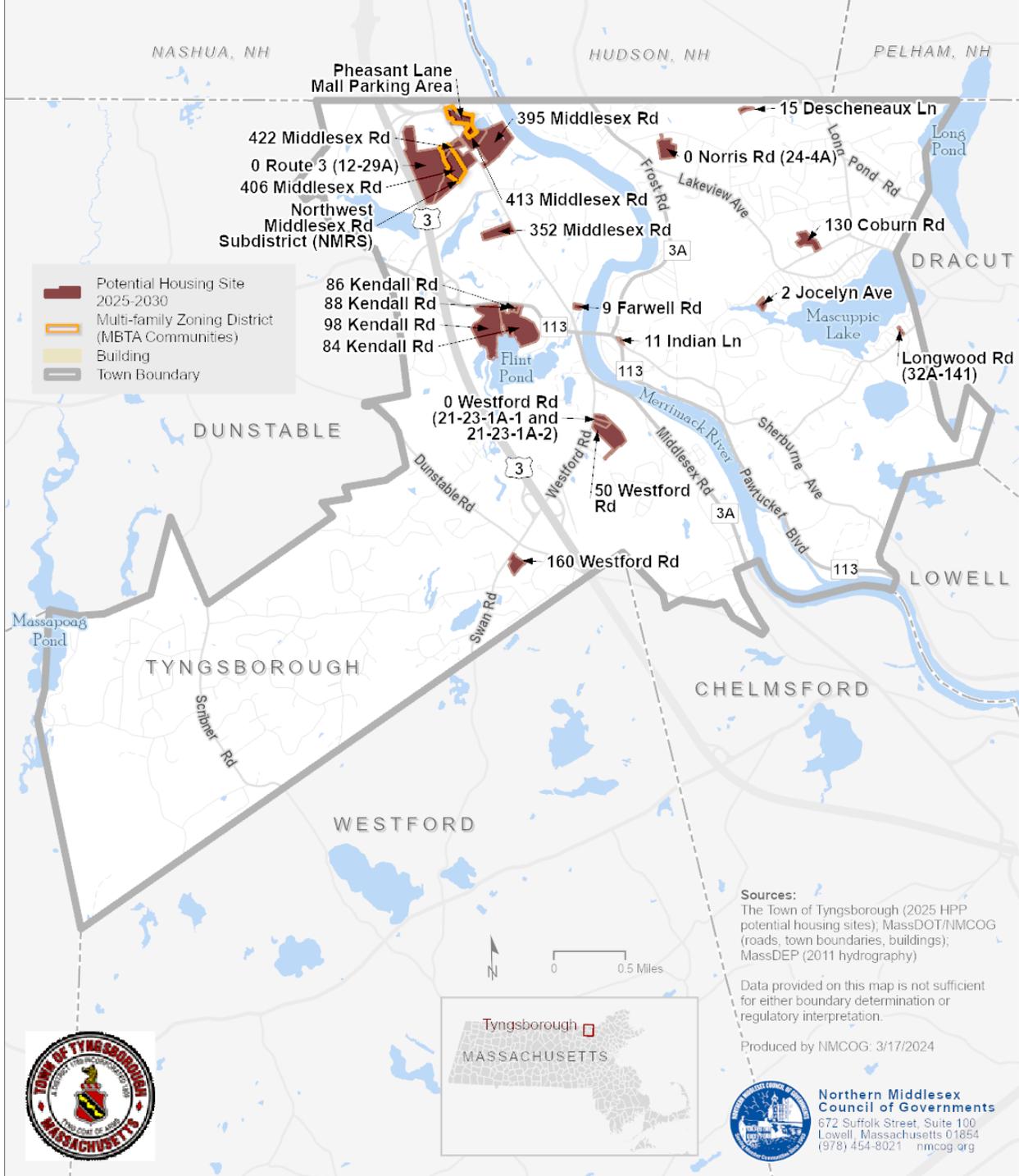
# Chapter 40B Subsidized Housing Sites





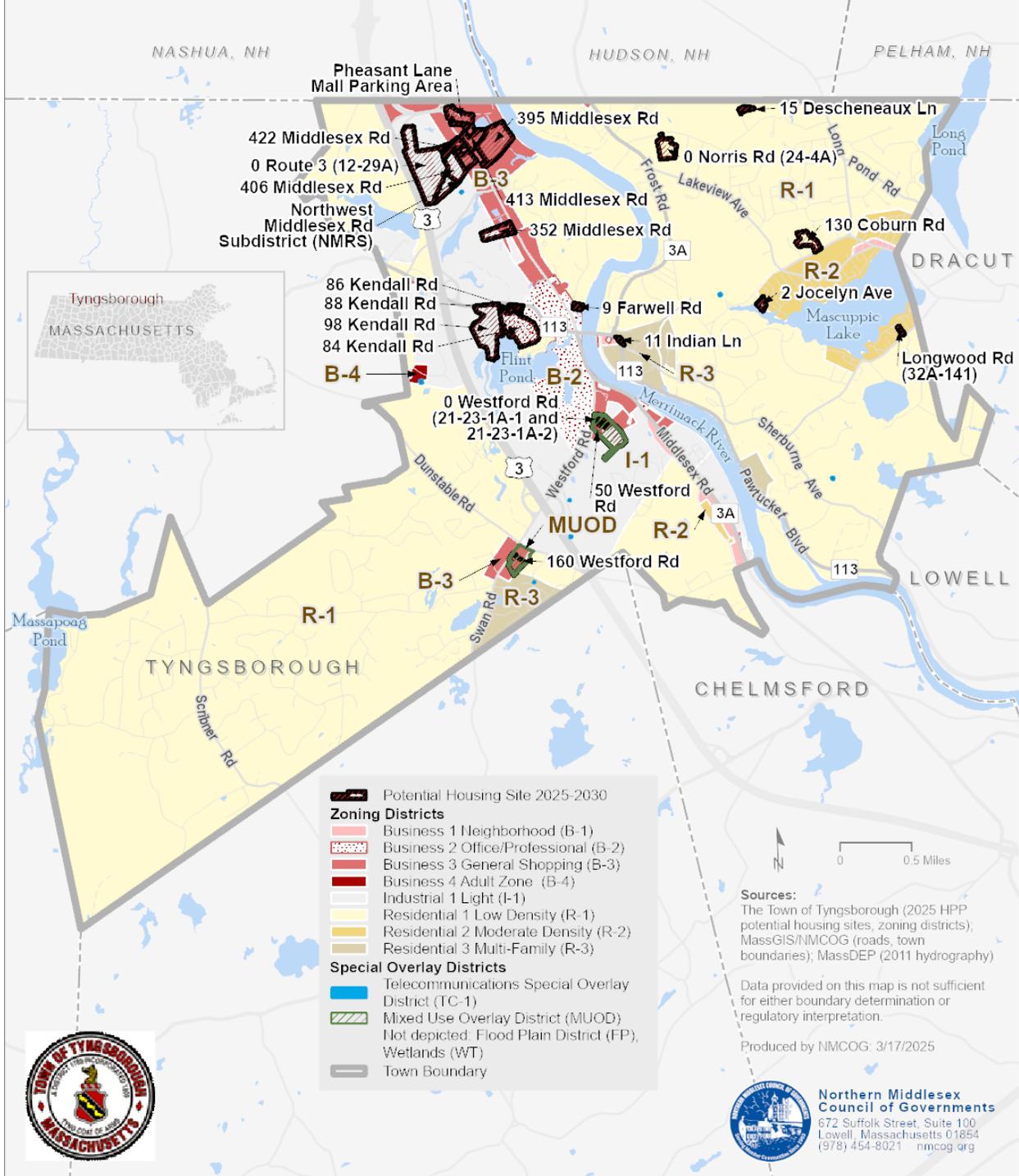


# Potential Housing Sites





# Potential Housing Sites by Zoning District



# Appendix 2

## Previous Plan Analysis

**Table 45: Tyngsborough 2021 Master Plan Housing Goals**

Goal	Status – Has Tyngsborough Made Progress?
Support market-rate and affordable housing units that address the housing needs of the community by partnering with non-profit and for profit developers.	Not started.
Provide a variety of housing options with varying styles and densities to meet the needs of all residents.	In progress.
Implement the Housing Trust approved by Town Meeting in 2015.	Complete.
Implement the 2020-2024 Housing Production Plan approved by DHCD.	Complete.
Continue to exceed the 10% affordable housing goal after the release of the 2020 U.S. Census.	Complete.
Apply for Housing Choice designation so that the Town can access capital grant funds to address its infrastructure issues.	Achieved designation in 2020. Will expire in 2025.
Utilize state and local funds and other “tools”, such as Chapter 40R, Inclusionary Zoning and “friendly” 40B developments to increase the supply of affordable housing.	Not started.
Increase awareness of first-time homebuyer and foreclosure assistance programs.	Not started.

**Table 46: Tyngsborough 2021 Master Plan Housing and Housing-Related Recommendations**

Element	Recommendation	Timeframe	Status
Housing	Diversify the housing stock to address the needs of the elderly, disabled, veterans and families.	Ongoing	In progress.
Housing	Implement the approved Tyngsborough Housing Production Plan for 2020-2024 as approved by DHCD.	Ongoing	In progress.
Housing	Continue to apply for Housing Choice designation to be eligible for Capital Grant funds under the Housing Choice program.	Ongoing	Achieved designation in 2020. Will expire in 2025.
Housing	Continue to utilize the MassWorks program to address infrastructure issues in town.	Ongoing	In progress.
Housing	Provide a range of housing types for a wide range of incomes in order to strengthen the local labor force and make the town more attractive for economic development.	Ongoing	In progress.
Land Use and Zoning	Update and revise the Town’s Zoning Bylaw to provide clarity and consistency, update uses, and add appropriate design standards, guidelines and performance standards, including updated standards for landscaping, lighting and signage. Conduct a comprehensive review of the town’s Zoning Bylaw and development regulations every five years. In the future, review the Zoning Bylaw every five years to identify needed updates and revisions.	Short-term	In progress.

Element	Recommendation	Timeframe	Status
Land Use and Zoning	Revise and modernize the OSRD bylaw to encourage the set aside of additional open space, and reduce minimum lot size requirements for the residential component of an OSRD project, thereby creating larger areas of contiguous open space. In addition, consider making OSRD mandatory for subdivisions over a certain size threshold, and eliminate the requirement for Town Meeting approval of OSRD projects. The Master Plan Committee recommends that either a recognized non-profit entity or the Town hold the open space set aside within an OSRD project, in order to ensure that a responsible party protects, manages and maintains the land.	Short-term	Not started.
Land Use and Zoning	Consider eliminating the requirement for Town Meeting approval of multi-family development in the R-3 district. The permitting process for such projects would then lie with the Planning Board and other appropriate boards and commissions.	Short-term	Not started.
Land Use and Zoning	Revise the Temporary Independent Living Quarters (TILQ) allowing accessory dwelling units by-right and consider providing additional flexibility within the bylaw (for example, not requiring that the accessory unit be occupied by the homeowner's relative), in order to increase housing options for older adults and young, entry-level workers.	Short-term	Not started.
Economic Development	Develop a permitting handbook to be available on the web site to educate potential permit applicants on the ways to have local permits approved for specific industries.	Short-term	In progress.

Element	Recommendation	Timeframe	Status
Economic Development	Address the future water and sewer capacity issues in the community by working with neighboring communities and NMCOG.	Short-term	In progress.
Transportation and Circulation	Revise and update the parking requirements outlined in the Town’s development regulations to reflect more current standards for various types of land uses. The parking design standards for commercial and industrial projects should require that parking areas be located to the side and rear of the buildings, in order to create more welcoming and pedestrian-friendly streetscapes. Re-examine the parking requirements for condominium projects to determine whether the current standard of 1.5 spaces per unit adequately meets the needs of residents and their visitors. The current dimensional requirements for parking spaces should also be reviewed and evaluated given that they exceed current industry standards. Consider adding requirements for bicycle parking for commercial and industrial projects.	Short-term	Not started.
Housing	Make a more concerted effort to work with the Tyngsborough Housing Authority and non-profit and for-profit developers to address the housing needs of residents.	Short-term	In progress.
Housing	Build on local staff capacity to diversify the community’s housing stock.	Short-term	In progress.
Housing	Examine the Chapter 40R program as a means to establish mixed-use districts and Starter Homes. Request that a DHCD representative make a presentation to the Tyngsborough Planning Board.	Short-term	In progress.

Element	Recommendation	Timeframe	Status
Housing	Research various zoning issues that could increase the number of affordable housing units in the community.	Short-term	In progress.
Housing	Develop design guidelines for affordable housing and utilize tax title properties to develop smaller affordable housing units.	Short-term	Not started.
Climate Change Resiliency	Encourage increased energy resiliency in development and redevelopment.	Short-term	In progress.
Climate Change Resiliency	Encourage onsite renewable energy generation and storage.	Short-term	In progress.
Land Use and Zoning	Resolve the split-zoned parcels, particularly those located within the town's business districts.	Intermediate	In progress.
Housing	Develop "starter homes" for young families and assisted living and independent living facilities for seniors.	Intermediate	In progress.
Facilities and Services	Implement future phases of the Town's sewer program as resources become available.	Intermediate	In progress.
Climate Change Resiliency	Promote use of green infrastructure to remove wet weather flows.	Intermediate	In progress.

**Table 47: Tyngsborough 2020 Housing Production Plan Goals**

Goal	Status – Has Tyngsborough made Progress?	Is this Goal still a Priority?
Continue to create a variety of rental units for existing and future Tyngsborough residents. This includes diversifying the types of units (duplexes vs. multifamily) in addition to providing units with three or more bedrooms.	<ul style="list-style-type: none"> <li>• The Toll Brothers’ development included a 16-unit rental property which is a step toward this goal.</li> <li>• The adoption of the MBTA Communities Overlay is also progress toward this goal.</li> </ul>	Yes
Continue to pursue the creation of workforce housing units and broaden the range of potential homebuyers and tenants.	<ul style="list-style-type: none"> <li>• Adoption of the MBTA Communities Multifamily Overlay District is a step toward this goal by creating underlying zoning that supports activities that would achieve this goal.</li> </ul>	Yes.
Develop rental and ownership options for senior citizens that allow them to age in place.	<ul style="list-style-type: none"> <li>• Permitted 100 age-restricted units as a part of the Toll Brother’s project.</li> </ul>	Yes, but there’s a need for more developments.
Provide a diversity of housing types affordable to people with a wide range of socio-economic backgrounds, especially those below 80% of the area median income.	<ul style="list-style-type: none"> <li>• Adoption of the MBTA Communities Multifamily Overlay is a small step forward in this effort.</li> </ul>	Yes.
Maintain existing housing stock in good condition.		Yes, by exploring ways for the Town to support the Housing Authority.

Goal	Status – Has Tyngsborough made Progress?	Is this Goal still a Priority?
Encourage new housing development to fit into the existing design and character of the community.		Yes.
Update the zoning bylaws, development review processes and permitting policies so they are clear and consistent.	<ul style="list-style-type: none"> <li>The Zoning Review Committee spent much time organizing and cleaning up the bylaws so they are easier to follow and ensure compliance.</li> </ul>	Yes.
Coordinate the work of Town Boards and Departments with permitting responsibilities and the Tyngsborough Housing Authority in order to achieve consistency in the interpretation and administration of local affordable housing requirements.		Not really a goal, should be standard practice.
Ensure that affordable housing development in Tyngsborough adheres to the Commonwealth’s Sustainable Development Principles.		Yes.
Monitor and chart the progress of affordable housing production to ensure that the Town is meeting annual production goals.	<ul style="list-style-type: none"> <li>The Town actively tracks affordable units but has work to do in creating measurable goals to work toward achieving.</li> </ul>	Yes.

Goal	Status – Has Tyngsborough made Progress?	Is this Goal still a Priority?
Ensure the EOHLC-approved Housing Production is used as a tool for systematic growth and new housing opportunities.		Yes.

**Table 48: Tyngsborough 2020 Housing Production Plan Strategies**

Recommendation	Status – Has Tyngsborough made Progress?	Is this Recommendation still a Priority?
Diversify the housing stock to address the needs of the elderly, disabled, veterans, and families.	<ul style="list-style-type: none"> <li>• Adopted the MBTA Communities Zoning which will allow for this type of diversified housing stock.</li> <li>• Amended the Zoning Bylaw to expand the area where assisted living can be located.</li> </ul>	Yes.
Develop “starter homes” for young families and assisted living and independent living facilities for seniors.	<ul style="list-style-type: none"> <li>• Amended the Zoning Bylaw to expand the area where assisted living/independent living can happen.</li> <li>• Development pending right of first refusal at 84 Kendall Road.</li> </ul>	Yes.
Make a more concerted effort to work with the Tyngsborough Housing Authority and non-profit and for-profit developers to address the housing needs of residents.		Yes.
Build on local staff capacity to diversify the community’s housing stock.		Yes.
Implement the approved Tyngsborough Housing Production Plan for 2020-2024 as approved by DHCD.	Complete.	

Recommendation	Status – Has Tyngsborough made Progress?	Is this Recommendation still a Priority?
Establish the Affordable Housing Trust approved by Town Meeting in 2015.	Complete.	
Apply for Housing Choice designation in 2022 to be eligible for Capital Grant funds under the Housing Choice Program.	Complete	
Examine the Chapter 40R Program as a means to establish mixed-use districts and Starter Homes. Request that an EOHLC Representative made a presentation to the Tyngsborough Planning Board.		Yes.
Continue to utilize the MassWorks Program to address infrastructure issues in Town.	<ul style="list-style-type: none"> <li>• \$2 million grant for the public/private development next to the Highway Garage on Kendall Road.</li> </ul>	Yes
Research various zoning strategies that could increase the number of affordable housing units in the community.	<ul style="list-style-type: none"> <li>• Amended the Inclusionary Zoning Bylaw to be clearer on the developer's requirements to include affordable units.</li> </ul>	Yes. (Minor Word Change).
Develop design guidelines for affordable housing and utilize tax title properties to develop smaller affordable housing units.		Yes.

Recommendation	Status – Has Tyngsborough made Progress?	Is this Recommendation still a Priority?
Provide a range of housing types for a wide range of incomes in order to strengthen the local labor force and make the town more attractive for economic development.	<ul style="list-style-type: none"> <li data-bbox="662 310 1003 548">• Adoption of the MBTA Communities Act lays the groundwork for the developments that achieve these goals to become a reality.</li> </ul>	Yes.

# Appendix 3

## Acronyms

ACS – American Community Survey

ADU – Accessory Dwelling Unit

AHTF – Affordable Housing Trust Fund

AMI – Area Median Income

CHAS – Comprehensive Housing Affordability Strategy

CPA – Community Preservation Act

DHCD – Massachusetts Department of Housing and Community Development (Now the EOHLC)

EOHLC – Executive Office of Housing and Livable Communities

FMR – Fair Market Rent

HAC – Housing Appeals Committee

HAMFI – HUD Area Median Family Income

HFHGL – Habitat for Humanity of Greater Lowell

HHS – U.S. Department of Health and Human Services

HMDA – Home Mortgage Disclosure Act

HPP – Housing Production Plan

HUD – U.S. Department of Housing and Urban Development

LIP – Local Initiative Program

LIHTC – Low Income Housing Tax Credits

MassDOT – Massachusetts Department of Transportation

MGL – Massachusetts General Law

MPO – Metropolitan Planning Organization

NMCOG – Northern Middlesex Council of Governments

OSRD – Open Space Residential Development

SHI – Subsidized Housing Inventory

ZBA – Zoning Board of Appeals

# Appendix 4

## Outreach Process

### **Table at the Tyngsborough Block Party by the Bridge**

On Saturday, August 24<sup>th</sup>, NMCOG Staff, Affordable Housing Trust members, and volunteers ran a Tyngsborough Affordable Housing Trust table at the annual Tyngsborough Block Party by the Bridge. NMCOG provided posters and handouts with housing data and trends, along with paper copies of the initial housing challenges survey and a “Draw Your Dreamhouse” activity.

The table caught the attention of several block party attendees, both locals and visitors. Twelve people signed up to receive additional information on housing. Thirty-one people filled out a paper copy of the survey.

Many attendees agreed that housing is an important topic of discussion, and initial discussions and survey responses indicated that high housing and utility costs are the biggest challenges. Accessibility and size (either too big or too small) were also mentioned as common challenges.

Below are a few highlights we heard from those who stopped by the table:

- A renter who lives near Tyngsborough Town Center loves living in Tyngsborough and the walkability of the downtown area. However, they are concerned about the increasing rental costs of his basement apartment. They feel like they can't get ahead financially.
- A senior homeowner likes their small house, but with “today's economy,” they probably need a new tenant. They like their current neighborhood.
- A middle-aged family currently owns their house and doesn't have any issues. However, their child is struggling to pay the mortgage on a house their child just bought.
- A senior on Disability has been on the wait list for two years for public housing and wants to be in the Tyngsborough Housing Authority. They say that the rent is just too high.
- A younger individual expresses frustration about high interest rates that make housing unaffordable.

At this first event, participants shared that their primary housing-related concerns are primarily financial. While many would like to stay in Tyngsborough, keeping up with rent and mortgage costs is a significant challenge. Financial challenges are an area in which we can build consensus.

### **Table at the Fall Equinox Celebration**

On September 20<sup>th</sup>, 2024, NMCOG and Town staff hosted a table at the Fall Equinox Celebration held at the Tyngsborough Center for Active Living. Three or four attendees were curious to learn more about local housing issues, taking some literature on housing affordability. Three attendees filled out the first survey. One participant was opposed to any additional housing. A common concern that was brought up was the long length of time affordable housing applicants have had to wait to receive the final results of their applications. At this event, participants expressed interest in learning more about housing, expressing concerns about being able to access housing at a price point that would work for them.

## Housing Challenges Survey

The Housing Challenges Survey was a part of the initial “Take a Breath” phase of the Housing Production Plan development process. Open in late summer through the fall in 2024, this survey focused primarily on understanding the housing challenges Tyngsborough residents face. This survey received 56 responses, out of whom 35 were homeowners and 16 were renters. 10 respondents said that their current home does not meet their needs.

Housing and utility costs were reported as the biggest challenges facing residents. 84% of respondents reported that expensive rent or mortgage payments are a challenge for either them or someone they know. 71% of respondents reported that expensive utility payments are a challenge for either them or someone they know. 29% of respondents reported that housing in poor condition is a challenge for either them or someone they know. The final results are summarized in the table below.



These results confirm the discussions we had at the Tyngsborough Block Party, where participants expressed concerns about financial issues related to housing. Even if a participant was not facing challenges with expensive rent or mortgage payments themselves, they were likely to know someone else who was. Participants were more likely to deal with high utility costs themselves.

## Housing Forum

NMCOG and Town staff hosted a Housing Forum at the Center for Active Living on November 20<sup>th</sup>, 2024. Two Planning Board members attended and provided valuable input on a set of goals falling under four categories: Produce a Diversity of Housing Units, Produce More Affordable Housing Units, Enforce Fair Housing Laws, and Amendments to Zoning and Address Infrastructure Capacity. Given the small size of the group, the forum was held as a single focus group discussion.

The group discussed questions about the potential prohibitive costs of accessory dwelling unit development, grant opportunities to address the lack of sewer capacity in the area of town closer to

Chelmsford, and how changes in inclusionary housing policy would impact long-term affordable housing production. The attendees stated that residents by and large like single-family development and if other types of development were produced, they should be developed elsewhere. When it comes to transit-oriented development, residents are open to it, if it is kept away from them.

There is some interest in expanding the inventory of the Tyngsborough Housing Authority, but there is a lot of uncertainty as to how to do so. One participant suggested that ADA-accessible and/or workforce housing could be worked into Housing Authority properties. Coburn Road is a good location for such housing.

When it comes to zoning, the participants believe that the R-1 District should not be the focus of zoning changes. Most available R-1 land is owned by MIT, the Town, or the State. They see more potential in developing overlay districts along major roads to create commercial and residential mixed-use developments. This approach can also be beneficial because while there is local demand for more commercial development, the Town lacks the demographics to support it, so developers are not as interested in pursuing it. Mixed-use overlay districts in industrial zones offer opportunities in increasing housing diversity and production while also allowing for more commercial space to be developed.

Participants felt that it would be challenging to build consensus on zoning changes to residential districts. They believe that mixed-use zoning overlay districts will receive more support from residents since they are largely opposed to new housing development near them. Additional guidance on accessory dwelling unit development and its costs can help build local support for them. There is also support for the Tyngsborough Housing Authority working towards expanding its inventory and overall role in providing affordable housing for the Town.

### **Housing Strategies Survey**

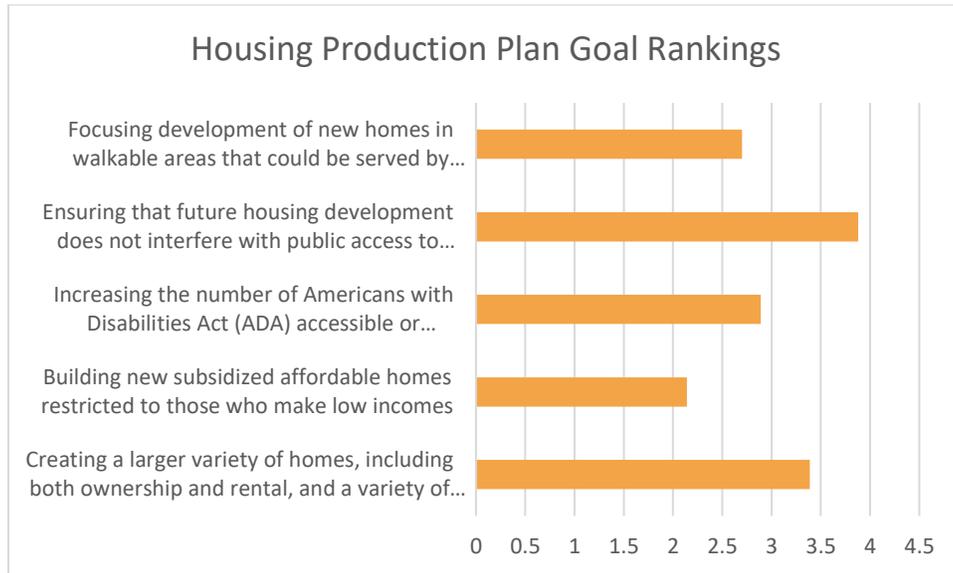
The 2025-2029 Tyngsborough Housing Production Plan developed a total of fifteen strategies to address housing needs for the Town. The survey was available online from December 20<sup>th</sup>, 2024-January 16<sup>th</sup>, 2025. The survey received a total of 69 responses, 19 of whom reported experiencing housing-related challenges. 57 respondents were homeowners compared to 3 respondents who were renters. Most respondents were aged 45 and older. 40 respondents identified as White.

Respondents were asked to rank the following five goals in order of importance:

1. Creating a larger variety of homes, including both ownership and rental, and a variety of sizes and types (single-family, duplex, and apartments).
2. Building new subsidized affordable homes restricted to those who make low incomes.
3. Increasing the number of Americans with Disabilities Act (ADA) accessible or adaptable housing units that meet the needs of people with mobility or other impairments through new construction or conversion.
4. Ensuring that future housing development does not interfere with public access to waterways and wetlands, and that developers mitigate any harmful ecological damage.

- Focusing development of new homes in walkable areas that could be served by transit.

Goal #4 was ranked as being the most important, with 47% of respondents ranking it first. Goal #1 came in second, with 29% of respondents ranking it as the top priority. Goal #3 came in third, with most respondents ranking it as the 2<sup>nd</sup> or 3<sup>rd</sup> priority. Goals #5 and #2 were ranked last. Nearly half of all respondents placed Goal #2 as the last priority.

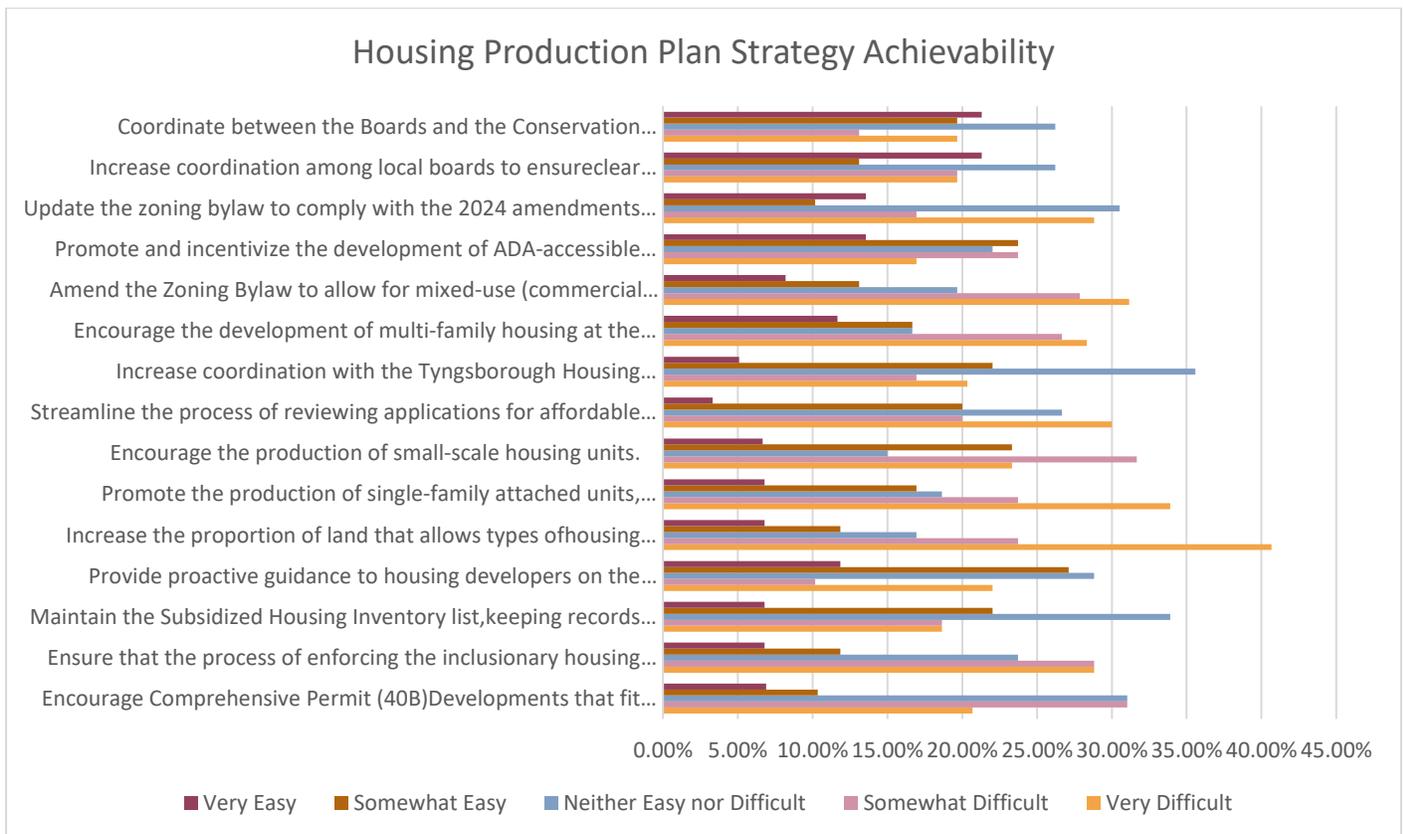


Respondents were then asked about how achievable they believed each of the fifteen housing strategies would be, and how much they'd support or oppose each of them. The following fifteen housing strategies were proposed:

- Encourage Comprehensive Permit (40B) Developments that fit within Tyngsborough's community context and meet its needs.
- Ensure that the process of enforcing the inclusionary housing regulation is clearly and consistently enforced.
- Maintain the Subsidized Housing Inventory list, keeping records of regulatory agreements, deed restrictions, home and rental prices, and other unit data.
- Provide proactive guidance to housing developers on the Town's inclusionary housing policy.
- Increase the proportion of land that allows types of housing other than single-family detached by right or by special permit, including duplexes, triplexes, and quadruplexes.
- Promote the production of single-family attached units, duplexes, triplexes, quadruplexes, and apartments in Tyngsborough.
- Encourage the production of small-scale housing units.
- Streamline the process of reviewing applications for affordable housing units, reducing wait times for people in need.
- Increase coordination with Tyngsborough Housing Authority to maintain current properties and potentially expand its inventory.

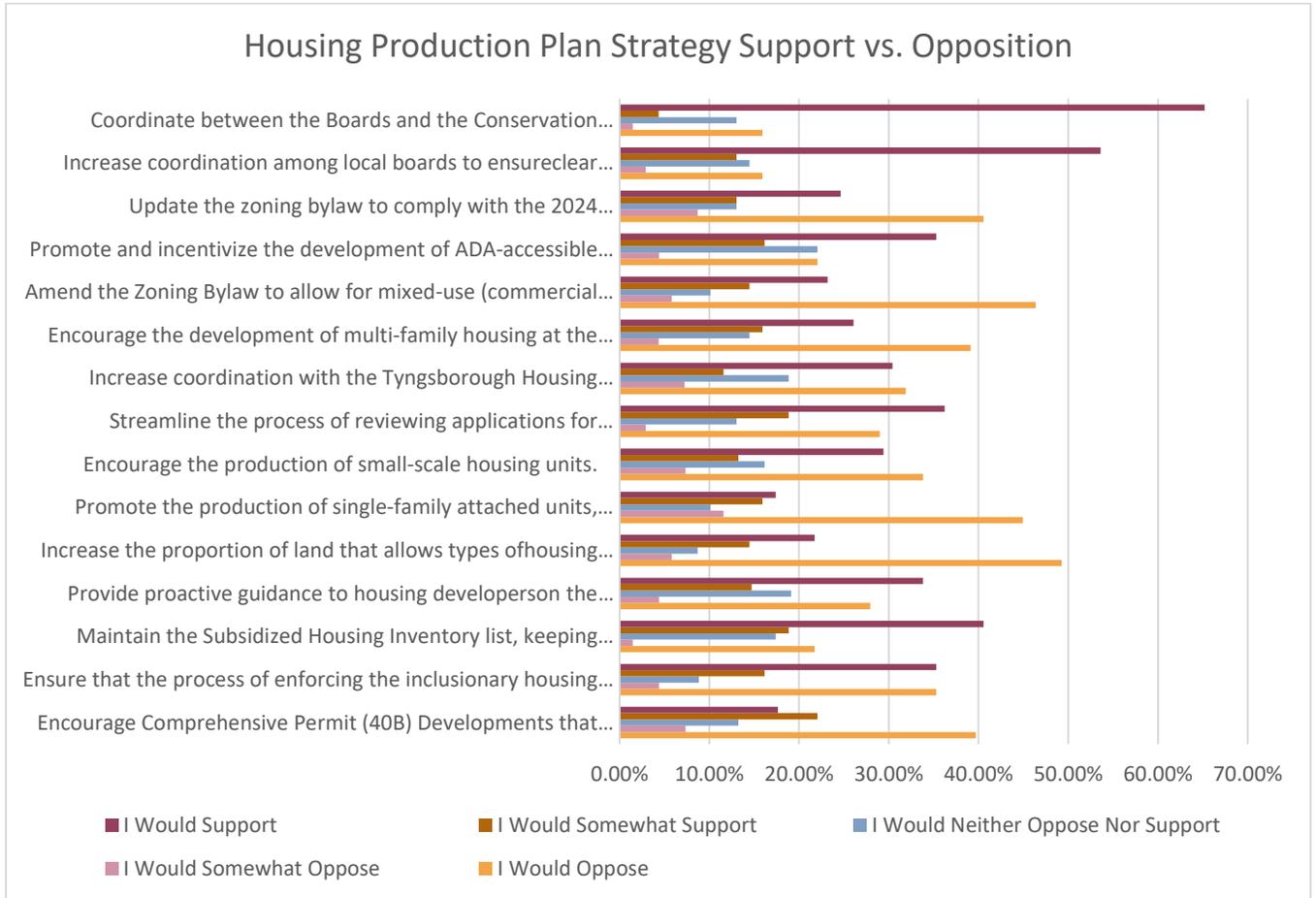
10. Encourage the development of multi-family housing at the Northwest Middlesex Road and Pheasant Land Mall Parking Area Subdistricts approved as MBTA Communities Districts.
11. Amend the Zoning Bylaw to allow for mixed-use (commercial and residential) overlay district in industrial zones along major roads.
12. Promote and incentivize the development of ADA-accessible housing units.
13. Update the zoning bylaw to comply with the 2024 amendments to M.G.L. c. 40A, the Zoning Act of the Commonwealth of Massachusetts, allowing accessory dwelling units (ADUs) in single-family zoning districts by right.
14. Increase coordination among local boards to ensure clear understanding of potential impacts of upcoming housing developments.
15. Coordinate between the Boards and the Conservation Commission for any projects that impact streams, rivers, and wetlands.

Overall, respondents saw most of these goals as easier said than done. Strategy #5 was ranked the hardest, with 41% of respondents saying it would be very difficult to achieve, followed by Strategy #6, with 34% of respondents saying it would be very difficult to achieve. Strategy #11 and Strategy #8 were also seen as very difficult to achieve. With 21% of respondents each ranking Strategies #14 and #15 as very easy to achieve, respondents see these two strategies as the most feasible.



Regarding support for each strategy, respondents expressed more opposition than support of the strategies overall. Nearly half of respondents expressed strong opposition to Strategy #5 and 46% of

respondents expressed strong opposition to Strategy #11. Strategies #6, #13, #1, and #10 also have strong opposition. Strategy #15 received the most support with 65% of respondents strongly supporting it. 54% are strongly in favor of Strategy #14. Strategies #3, #8, #2, and #12 also saw strong support from respondents.



Based on this survey, the Town demonstrated the greatest support for strategies that advance and balance housing goals and environmental preservation goals. A large portion of residents expressed opposition to housing strategies that involved changes in zoning to allow for greater diversity in housing units built. Demonstrating how zoning adjustments and increased diversity in housing production can advance goals for open space and economic development is important for building local consensus.