

**TOWN OF TEWKSBURY**  
**CALCULATION OF FEE-IN-LIEU OF UNITS**

I. Statement of Purpose

With authorization by the Planning Board, developers may make a cash payment to the Town of Tewksbury, Affordable Housing Trust Fund to be used for the purposes of providing affordable housing units as described in the Tewksbury Zoning Bylaw, in lieu of actual construction of said affordable housing units.

II. Calculation of In-Lieu of Fee

The fee shall be calculated prior to the request for the occupancy permit. Requests for calculation of the fee shall be made to the Tewksbury Assessor, and will be paid by certified cash funds (U.S. currency) on or before the issuance of the occupancy permit for the required scheduled affordable dwelling unit, in accordance with Zoning Bylaw Section 7014 a, b, and c. The date of request for calculation of the fee shall be at least 5 business days and no more than 20 business days before the issuance of said scheduled occupancy permit; and the fee is due on or before the issuance of said scheduled occupancy permit, and will be paid directly to the Town of Tewksbury, Affordable Housing Trust Fund. Occupancy permits shall not be issued unless the funds are paid in compliance with this policy.

For ownership or rental units, the financial contribution (fee) for each affordable housing unit shall be equal to the difference between No. 1 and No. 2 below, plus No. 3:

1. The average (mean) price of qualified market sales of single family and condominium residential units (excluding residences of 4 or more bedrooms) in the Town of Tewksbury;, as of the date of the request for the calculation of the fee, for the prior one (1) through seven (7) months according to the records of the Tewksbury Assessor's then on file; and,
2. The purchase price of an affordable housing unit, available at a purchase cost of no more than 30% of gross household income of households at or below 70% of the Middlesex County median income as reported by the United States Department of Housing and Urban Development, including units listed under M.G.L. c. 40B, §20-24 and the Local Initiative Program of the Commonwealth of Massachusetts.
3. A fee in the amount of \$2,500.00 shall be added to the fee above for administrative costs.

Example Fee:

Average Mean Market Sales Price, No. 1 above...	\$293,676
DHCD Guideline Cost, No, 2 above .....	<u>\$160,000</u>
	<b>Difference---</b>
	<b>\$133,676</b>
Administrative fee.....	<u>2,500</u>

**TOTAL FEE IN LIEU OF AFFORDABLE UNIT: \$136,176**

III. Administration of Funds

Funds contributed to the Town of Tewksbury in accordance with these Guidelines shall be disbursed solely to provide for affordable housing units and the associated administrative costs, as defined herein and as defined in Chapter 105 of the Acts of 2003 establishing The Town of Tewksbury's Affordable Housing Trust Fund. Any interest earned shall be credited to and become part of the fund. Any moneys transferred to the Town in accordance with this policy shall be expended only with the approval of the majority of the Board of Selectmen.

IV. Statement of Authority

The Tewksbury Local Housing Partnership acting under Section 7014(b) of the Tewksbury Zoning Bylaw is responsible for setting the policy on "fee in-lieu of" construction of affordable housing units. The Partnership first adopted this policy in October 2004 and amended the policy on August 22, 2007, and again on April 9, 2008.