



150 Concord Street  
Framingham, MA 01702

**FOR IMMEDIATE RELEASE 08/24/2020**

**For further information contact:**

Kelly McFalls

[kmcfalls@framinghamma.gov](mailto:kmcfalls@framinghamma.gov)

Tel (508) 532-5437

M (774) 285-1315

## **Mayor Yvonne M. Spicer's Statement: Housing Moratorium Veto**

**Framingham, MA** - On August 14, 2020, the City Council issued Order # 2020-033-003, which imposes a temporary moratorium on new construction of and new applications for multi-family dwelling construction within the City of Framingham ("Housing Moratorium"). I have vetoed this order in accordance with Art. III, Section 7 of the Framingham Home Rule Charter. I thought it would be beneficial to the Council and the public for me to outline the main reasons I have taken this extraordinary action, which is only my second veto in nearly three years serving as Framingham's Mayor.

As more fully explained below, I have vetoed the Housing Moratorium because, after review and in-depth consultation with business and community leaders, I believe it will unreasonably impinge on the City's growth and future economic opportunities, and I believe there are other less intrusive means to achieve the positive objectives of the Housing Moratorium, as outlined by the Planning Board in its report submitted to the City Council.

### **1. The Moratorium will result in Framingham being viewed as "not open" for business.**

One of my principal concerns with the Moratorium is that it will derail the progress that the City has made in attracting new investment. In 2015, after years of careful discussion and deliberation within the community, and with the support of the Planning Board and Board of Selectmen, Framingham's Town Meeting voted to adopt [Transit-Oriented Development](#) for downtown Framingham to re-imagine it as a place to live, work and play. A similar effort took place in the Nobscot neighborhood. Nobscot is amid a redevelopment that will transform that neighborhood as well. Those rezoning efforts were focused on what types of new housing would be appropriate in these neighborhoods, to ensure that the growth was appropriate and well-controlled.

Because of the rezoning, downtown Framingham has benefited greatly, seeing more new investment than it has in several decades. With the addition of new housing options, the neighborhood has become more active and vibrant. As a 35-year resident of Framingham, former town meeting member and the past two and a half years as Mayor, I have witnessed Framingham grow and realize significant improvement to its economic landscape. We are on the cusp of becoming a Flagship City. However, imposing this housing Moratorium undermines the efforts of our community and the gains we have realized. Moreover, it repeats previous missteps, which is why so much of Framingham's business community so strongly opposes it.

In the 1970s, Framingham imposed a similar moratorium with negative results. The 1970's Moratorium exacerbated the impacts of the economic downturn the town was experiencing at the time and sent a

message to developers that they weren't welcome here. Framingham has worked for many years to dispel its "anti-business" reputation. As Framingham and MetroWest seek to absorb and ultimately rebound from the effects of the Covid-19 pandemic, now is not the time to impose a new Moratorium that will once again send a clear signal that Framingham is not welcoming to meaningful economic development.

## **2. Business and Community Leaders Oppose the Housing Moratorium.**

Since the Moratorium includes an amendment to our Zoning By-law, the Council referred its proposal to the Planning Board for review as required by state law. At a July 23, 2020 Public Hearing before the Planning Board, opposition to the Moratorium was offered by the Framingham Director of Planning and Community Development, the President of the MetroWest Chamber of Commerce, Downtown Framingham, Inc., and local business owners. Based on this testimony and their review of the measure, the Planning Board voted 4-1-0 not to support the Housing Moratorium. The Planning Board's view is that the Moratorium will do more harm than good and that procedures are already in place under existing zoning to manage growth, such as allowing multi-family dwelling only in the Central Business District and requiring special permits for any proposed development of more than 30,000 square feet. Moreover, the Planning Board enumerated four conditions that should be satisfied before implementing a Housing Moratorium, none of which have been satisfied with the current Housing Moratorium.

In my judgment, the Housing Moratorium paints with too broad of a swath that may oxygenate Framingham's reputation, fairly or unfairly, as anti-business that we have made progress in improving in recent years. Careful and nuanced planning is necessary in today's uncertain times. Before making a final decision regarding whether to override my veto, I urge the members of the City Council to read the [comprehensive report](#) issued by the Planning and Community Development Division and watch the Planning Board deliberations and discussions of [July 16](#) and [July 23](#).

## **3. The Moratorium may impact the City's ability to obtain state funding.**

Governor Baker has made it clear that one of his highest priorities is producing new housing in the Commonwealth. Massachusetts is facing a severe housing shortage, which impacts its ability to attract and retain new talent to its workforce. Framingham has been designated a Housing Choice community as of 2018, which gives us access to millions of dollars of grants and other resources that we would otherwise not have. At a time when our budgets are strained, it seems to be counterproductive to risk aid from the State and Federal governments for a Moratorium that has more downside than upside.

Moreover, the Moratorium may make the City ineligible for funding through existing state housing and infrastructure programs. There is currently pending in the legislature an Economic Development Bond bill. The Senate version of the bill (S. 2842 as amended) should be of grave concern to the Council:

SECTION 28. Said chapter 40A is hereby further amended by inserting after section 3 the following section:

Section 3A. (a) (1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and 983 shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter

131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable. (b) **An MBTA community that fails to comply with this section shall not be eligible for funds** from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the Mass Works infrastructure program established in section 63 of chapter 23A. (c) The department, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section” (emphasis added).

If this legislation is passed and enacted, losing eligibility for these sources of funding would be very detrimental to the City during this critical time. As we struggle through the economic impacts of the Covid-19 pandemic, the last thing we want to do is send a message to the business world that Framingham is not invested in economic recovery, opportunity, and growth.

#### **4. The Housing Moratorium will undermine housing sustainability and stability.**

Framingham is a community that enjoys a diverse population and business base from retail to life sciences to restaurants. Each year, we graduate more than 800 students from Framingham State University and Mass Bay Community College. Our diverse workforce and opportunities for professional entrée for young professionals are critical. Creating an environment where they can live, work, and play in our community can only benefit us collectively. All we have to do is look at the Alta Union House that is more than 75% rented after only a few short months, and we are seeing growing occupancy rates at other developments as well.

The Housing Moratorium sends the wrong message to our community with respect to the issue of equity in housing. We currently have a shortage of accessible, veteran, affordable, and workforce housing options to offer a broad constituency at multiple price points. There are City residents who have lived here for decades and seek to downsize. There are those just graduating from college and want to live here while pursuing their new careers. For these people, as well as others who seek affordable housing, the Moratorium will result in fewer options.

Advocates for the Housing Moratorium have pointed to traffic and school impacts to support their position, but these arguments have been dispelled by our experience. The increased cost of student enrollment due to our new housing has been negligible. With respect to traffic, if we had adequate, affordable housing for people who work in Framingham, the need for people to commute to the City for employment would be reduced, alleviating the additional stress of traffic on the City.

A limit to the production of multi-family housing also harms vulnerable populations such as low-to-moderate-income families and individuals, older adults, and those with disabilities. The data has shown that black and brown residents are most affected by housing injustice, as well as the public health crises of the pandemic and racial injustice. If we want the City to grow economically and support the opening of new businesses, we need more people to call Framingham home. We need residents to drive Framingham’s economic engine.

#### **5. The Housing Moratorium will exacerbate problems caused by the current Covid-19 pandemic.**

Framingham's businesses are working hard to survive the current pandemic, but some, unfortunately, will not make it. Many businesses have pivoted, but they are struggling to navigate through the phases of re-opening, with staff working remotely, leveraging Cares Act Relief, and leaning on each other. The Housing Moratorium does not send a positive message to this community and instead, in my view, demonstrates a lack of strategy and long-term thinking for economic growth.

Any moratorium on multi-family housing, even a temporary one, will damage the City of Framingham and could inhibit Framingham's potential growth for years to come. Accordingly, I must disapprove of City Council Order # 2020-033-003.

###