WATERTOWN
MASSACHUSETTS
COMMUNITY DEVELOPMENT
AND PLANNING DEPARTMENT:
PLANNING AND ZONING

To: Watertown Affordable Housing Trust
From: William Downie, AICP, Senior Planner - Housing
Date: September 9, 2026
Re: Payment in Lieu of Affordable Unit Calculation – 6 & 12-14 Church Hill St, PZ-26-18

BACKGROUND

William Conti (the "Petitioner") is seeking a special permit for the construction of a multi-family residential development at 6 & 12-14 Church Hill Street, project number PZ-2026-18. The proposed development is a 9-unit multi-family residential building subject to Watertown's Affordable Housing Ordinance (AHO). Petitioner has indicated that they intend to make a payment in lieu of building an affordable housing unit to meet the project's affordable housing requirement, as allowed by the Watertown Zoning Ordinance (WZO).

As you are aware, §5.07 of the WZO (the AHO) requires any development that creates six or more residential units designate a portion of the new units as affordable. A nine-unit project must designate 12.5 percent of units as affordable, meaning this project would be required to designate one (1) affordable unit. However, a project of this scale is eligible to make a payment in lieu of development without a special permit from the Zoning Board of Appeals.

CALCULATION

The calculation of the payment in lieu of development is outlined in §5.07(f)(2). The payment is based on the Total Development Cost (TDC) for affordable units provided in the most recent Qualified Allocation Plan for Low Income Housing Tax Credit (QAP) released by the Executive Office of Housing and Livable Communities (HLC). The 2025-2026 QAP does not calculate TDC. The most recent QAP to include a TDC figure is for 2023-2024. However, the 2023-2024 QAP carries through the TDC from the 2022-2023 QAP. The 2022-2023 QAP sets the TDC for a Production Project in a Suburban Area with Large Units[1] within Metro Boston as $349,000.

To account for changes in construction costs between now and when the TDC was calculated, the TDC was adjusted using U.S. Department of Housing and Urban Development (HUD) Construction Price Indexes data for Multifamily Housing Units Under Construction to adjust the cost from Q4 2021[2] to Q2 2026. This results in a cost-adjusted TDC for 2026 of $426,781.37. Since the project is proposing 9 units, the TDC is pro-rated to 90% in compliance with 5.07(i)(6)A), to $384,103.23.

STAFF RECOMMENDATION

Based upon this calculation, the recommended payment in lieu of affordable units for the 6 & 12-14 Church Hill St. project, project number PZ-2026-18 is **$384,103.23**.

[1] The QAP defines a Large Unit Project as a project with an average or two or more bedroom units, or at least 65 percent two-or more bedroom units and 10 percent three-or more bedroom units. This project proposes 78 percent two-bedroom units and 11 percent three-bedroom units.
[2] The cost calculation narrative in the 2022-2023 QAP indicates that TDCs were not re-calculated from the 2020-2021 QAP. Therefore, Q4 2021 was used as the base quarter, as this was the last effective quarter for which a TDC was calculated.

Watertown Affordable Housing Trust

DRAFT Rules of Practice and Procedure

City of Watertown

Revised Draft August 12, 2026

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1. GENERAL

1.1. Authority and Purpose

1.1.1. These Rules of Practice and Procedure, as required under the Watertown Administrative Code §A-303, are intended to:

- **a.** Provide for the orderly and efficient conduct of business of the Watertown Affordable Housing Trust (the "Housing Trust"), and to facilitate the decision making process of the Watertown Housing Trust Board (the "Board of Trustees" or the "Board"); and
- **b.** Clearly identify the roles and responsibilities of the Board, Trustees, and Staff.

1.2. Adoption and Amendment of Rules

1.2.1. **Effective date.** These Rules, and any amendments to them, become effective when adopted by a quorum of the Trust at a public meeting.

1.2.2. **Amendment of Rules.** These Rules may only be amended by a quorum of the Trust at a public meeting, but may be amended at any meeting so long as the posted Agenda includes review of these Rules.

1.2.3. **Annual review.** The Board shall review these Rules for changes on an annual basis to align with the annual election of Officers. The Board may choose to review these Rules for changes more than once a year at their discretion.

1.2.4. **Filing of Rules.** These Rules must be filed with the City of Watertown City Clerk, and the City Council President and the City Manager shall forthwith be notified of this filing

1.2.5. **Public availability.** The adopted and subsequently amended Rules will be available for public access in the following ways.

- **a.** A physical copy of these Rules will be available at the City's Planning and Zoning Office.
- **b.** An online copy will be accessible on the City's website.

1.3. Powers and Responsibilities of the Trustees

1.3.1. **Authority and Responsibilities.** As established in the Watertown Administrative Code §A-303a, the purpose of the Housing Trust is to provide for the creation and preservation of affordable housing within the City for the benefit of low-to-moderate-income households and for the funding of community housing, as defined in and in accordance with the provisions of M.G.L. c.44B. The Trust has all the powers and authorities established through M.G.L. c.44, §55C. Additionally, the Housing Trust supports affordable housing development through real estate activities, including but not limited to actively facilitating pre-development activities of affordable housing developers and potentially acting as an affordable housing developer. The Trust oversees the City's affordable housing monies, including but not limited to HOME funds via the West Metro HOME Consortium, Community

Development Block Grant funds, and the City's Affordable Housing Trust Fund. The Trust also serves as a policy body on affordable housing matters, advocating for affordable housing and providing advice to the City administration and City Council on such matters, including but not limited to reviewing development applications which have or propose affordable housing units, and providing comment and recommendations regarding housing related legislation. The Board of Trustees for the Affordable Housing Trust Fund shall have other powers, duties, and responsibilities that are given to boards of trustees by the General Laws.

a. **Classification.** The Watertown Administrative Code classifies the Housing Trust as an Advisory and Ministerial multiple-member body.

1.3.2. Limitations. As established in the Administrative Code §303a(C), neither the Board of Trustees nor any Trustee, agent or officer of the Trust shall have the authority to bind the City except in the manner specifically authorized herein. Any debt incurred by the Trust shall not constitute a pledge of the full faith and credit of the City of Watertown, and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the City of Watertown, with an acknowledgement of said statement by the holder.

1.3.3. Annual Report. As required by the Watertown Administrative Code §A-301F, the Housing Trust shall prepare an annual report of their activities and submit it to the City Manager and the City Clerk on or before the fourth Friday in March describing the activities for the previous calendar year ending December 31.

1.3.4 Formation of Subcommittees. As allowed under Watertown Administrative Code §A-301.F, the Housing Trust may establish subcommittees, as needed, to address a particular issue or issues by a majority vote. Membership of subcommittees shall be limited to Trustees. A report of the activities of any subcommittees formed shall be regularly made to the full Board, and all subcommittees established shall be subject to all laws pertaining to public records and open meetings.

1.4. Legal Status of the Housing Trust

1.4.1. Public Employer. The Housing Trust is considered a public employer, and Trustees are considered public employees for the purposes of M.G.L. c. 258.

1.4.2. Municipal Agency. The Housing Trust is considered a municipal agency, and the Trustees are deemed special municipal employees for the purposes of M.G.L. c.268A.

1.4.3. Government Body. The Housing Trust is considered a government body for the purposes of M.G.L. c.30A, §§18-25.

1.4.4. Instrumentality of the City. The Housing Trust is considered a Board of the City of Watertown for the purposes of M.G.L. c.30B, and c.40, §15A. However, agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities shall be exempt from M.G.L. c.30B.

2. ORGANIZATION OF THE TRUST

2.1. Composition

2.1.1. **Board of Trustees.** The Trust shall be governed by the Board in accordance with M.G.L. c.44, §55C, as revised, and the authority granted by the City Council. The Board shall be composed of seven (7) Trustees. The City Manager shall serve as one (1) of the Trustees.

- **a. Compensation.** The Trustees shall serve without compensation. The City Manager shall receive no compensation as a Trustee in addition to, or separate from, compensation as City Manager.

2.1.2. **Qualifications.** Trustees appointed by the City Manager shall be a group of diverse residents who have relevant experience in the fields of real estate, housing, banking, finance, law, architecture, community planning and/or similar areas of expertise relating to the creation and preservation of affordable housing.

2.2. Appointment and Tenure of Trustees

2.2.1. Appointment of Trustees. The City Manager shall appoint Trustees, subject to confirmation by the City Council. Trustees may be reappointed for additional terms.

2.2.2. Term. All Trustees, except the City Manager, shall be appointed or reappointed for two (2) year terms to end on June 30 of the expiration year, or such time as a successor is appointed.

a. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the City Clerk.

b. Any Trustee who ceases to be a City resident shall promptly provide written notification of the change in residence to the Trust and to the City Clerk. The Trustee may continue to serve until a successor is appointed.

2.2.3. Removal. Any trustee may be removed for cause by the City Manager after the opportunity for a hearing.

a. If a Trustee fails to attend regular meetings for a period of three consecutive months or three consecutive meetings, whichever is longer, the City Manager may, at their discretion, vacate that Trustee's appointment.

2.2.4. Vacancies. If a Trustee dies, resigns, or for any other reason ceases to be a Trustee before their term of office expires, a successor shall be appointed by the City Manager, subject to confirmation by the City Council. The appointment and written acceptance by the Trustee so appointed must be filed with the City Clerk.

2.3. Offices and Officer Responsibilities

2.3.1. Officers. The Trustees shall designate a Chair, Vice-Chair, and a Clerk. The officers shall have the duties and responsibilities of their office as indicated in this section, in addition to the duties and responsibilities of a Trustee.

- **a. Chair.** The chair shall:

- Conduct the meeting following Robert's Rules of Order as applicable, and may reorder agenda items as deemed most appropriate and efficient;
- Call for motions and votes by the Board;
- Enforce compliance with comment time limits;
- Represent the Board in all proceedings before the City Council and other City Boards and officials;
- Attend informal meetings with the chairs of other city bodies and applicants before the Board in support of the purposes of the Board and to support the efficient administration of Board business and public meetings; and
- Attend all trainings required by the City, or designate another Trustee to attend, and ensure all materials are disseminated to Trustees.

b. Vice-Chair. The Vice-Chair shall perform all duties of the Chair should the Chair be unable to perform their duties.

c. Clerk. The Clerk shall certify meeting minutes, ensure observance of M.G.L. c. 39 §18-25 (the "Open Meeting Law"), and maintain the journal of proceedings. The Clerk may rely on Staff for support in carrying out their duties and responsibilities as outlined in §2.5.2 of these Rules.

2.3.2. Election of Officers. Each year, no later than 45 days after June 30, the Board shall elect Trustees to serve as Officers. Officers shall be elected by a quorum of the Board.

2.3.3. Vacancies. If an office is left vacant due to resignation of a current Officer or for some other reason is vacated, a new election for the vacated office will be held within 45 days of the resignation.

2.4. Trustee Responsibilities and Standard of Conduct

2.4.1. Trustee responsibilities. Trustees are expected to participate in all meetings and administrative business of the Board, and to review meeting materials assembled in packets prior to the meeting. Unless otherwise coordinated with Staff, the Board will receive all materials digitally.

2.4.2. Training. Trustees shall attend all required trainings related to the execution of their duties and are encouraged to attend other relevant trainings.

2.4.3. Meeting attendance. Trustees are expected to attend all public meetings and executive sessions of the Board.

a. Remote attendance. Trustees are strongly encouraged to attend all meetings in-person. When any Trustees participate remotely, all votes must be taken by roll-call vote.

b. Absence. Trustees who will be absent or abstaining from a hearing or vote must notify Staff at the earliest knowledge of their anticipated absence or abstention.

2.4.4. Conflicts of interest. Trustees shall act in accordance with the provisions of M.G.L. c.268A, as amended. If a Trustee believes or discovers that they have a conflict of interest or the

appearance of a conflict of interest, they shall alert Staff and follow the procedures as outlined in state law.

a. Consultation. If a Trustee has any questions relating to ethics or conflicts of interest, they should consult with the Massachusetts State Ethics Commission and keep Staff informed.

2.4.5. Open Meeting Law. The Board and Trustees shall act in accordance with the provisions of M.G.L. c.39§§18-25, the Open Meeting Law, as amended.

a. Consultation. Trustees should consult with Staff if they have any questions regarding compliance with the Open Meeting Law.

2.5. Staff to the Housing Trust

2.5.1. Designated Staff. The staff of the Planning and Zoning Division within the Department of Community Development and Planning are specifically designated as Staff to the Board ("Staff").

2.5.2. Responsibilities. Staff are responsible for the following:

a. Preparing and maintaining records of proceedings, including minutes, agendas, decisions, memoranda, and legal notices;
b. Assisting the Officers of the Board in their duties and responsibilities;
c. Ensuring meeting materials are posted in a timely fashion;
d. Ensuring proper notification of public hearings and meetings in accordance with federal, state, and local law and requirements;
e. Assisting the Board in running an efficient and legally compliant meeting;
f. Liaising with anyone appearing before the Board to ensure they are aware of the requirements and expectations for Board meetings and in support of the purpose of the Board.
g. Submitting the Board's recommendation to the permit granting authority when required under the Watertown Zoning Ordinance;
h. Notifying the Board of training, educational opportunities, and relevant City events;
i. Providing written research, documentation, and reports to the Board as necessary; and
j. Preparation of materials and other documents in support of Housing Trust programs and work, as directed by the Board.

3. PUBLIC MEETINGS

3.1. Meeting Types and Requirements

3.1.1. Regular Meetings. The Trust shall meet at least quarterly. Regular Meetings are typically scheduled on the third Tuesday of the month, unless municipal holidays or conflicts with other events require adjustments to this schedule. Staff and the Board shall maintain a publicly available Meeting Schedule with the dates of all Regular Meetings for the year.

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3.1.2. Special Meetings. Special Meetings, including Executive Sessions, are any meetings held on a day and/or time other than those listed on the published Meeting Schedule. Special Meetings may be called by the Chair, or by any two (2) Trustees.

3.1.3. Quorum. A quorum at any meeting shall be a majority of the Trustees then serving. A quorum is required to conduct any business.

- **a.** If a quorum is not present for an item of business, the Chair shall continue that item to the next Regular Meeting.

3.1.4. Noticing. Notice of all meetings shall comply with the provisions of the Open Meeting Law. Should any hearing, vote, or other deliberation held by the Housing Trust require additional notice or posting, all applicable regulatory requirements of the entity or program as it relates to notice, posting, and comment periods shall be met.

3.1.5. Agenda. For each meeting of the Board, Staff, in coordination with the Chair, shall prepare an Agenda of all items to be discussed during the meeting, which is to be filed in the Office of the City Clerk at least 48 hours before the scheduled Housing Trust meeting. Only matters included on the Agenda shall be taken up at the meeting.

3.2. Meeting Nature, Location and Time

3.2.1. **Time.** Regular Meetings are typically scheduled to begin at 6:00pm. Meetings may be scheduled for another time at the discretion of the Chair in compliance with the Open Meeting Law.

3.2.2. **Location.** Meetings are typically scheduled at a Municipal Facility, and specifically in the Third-Floor Conference Room of City Hall, or other meeting rooms located at 149 Main Street or the Parker Building located at 124 Watertown Street. The meeting location will be published in the posted Agenda.

3.2.3. **Meeting nature and participation.** Meetings are encouraged to be in person and must be held in an accessible location as defined in 521 CMR. Remote viewing, access, and participation should be allowed to the extent feasible and as allowed by state law. Instructions on how to participate remotely will be published in the posted Agenda.

3.2.4. **Posting of recordings.** Online posting of video recordings of meeting are not required, but, when possible, should be coordinated with Watertown Cable Access TV.

3.3. Meeting Management

3.3.1. Normal order of business during meetings. The order of business for meetings will follow the structure outlined below, unless otherwise indicated by the posted Agenda. The Chair may choose to take business out of order during the meeting at their discretion. Should the Chair choose to take business out of order, they will announce the change and revised order.

- **a.** Call to Order
- **b.** Roll Call
- **c.** Administrative business
- **d.** Old Business

- **e.** New Business
- **f.** Public Hearings
- **g.** Other Business
- **h.** Vote to go into Executive Session, if required
- **i.** Adjourn

3.3.2. Normal order of business for Public Hearings. The order of business for public hearings will follow the structure outlined below. The Chair may alter the normal order at their discretion.

- **a.** Reading of legal notice (if applicable)
- **b.** Applicant presentation
- **c.** City Staff presentation (if applicable)
- **d.** Opportunity for clarifying questions from the Board
- **e.** Testimony from any elected officials in attendance (if applicable)
- **f.** Public testimony
- **g.** Questions from the Board
- **h.** Closing of the Public Hearing
- **i.** Deliberation and vote

3.3.3. Joint Hearings. The order of business for joint hearings between the Board and other Boards or Commissions will follow the structure outlined below. The Chair may alter the normal order at their discretion.

- **a.** Call to Order
- **b.** Roll Call
- **c.** Move to Recess
- **d.** Public Hearing with other Board and/or Commissions
- **e.** Closing of Public Hearing

3.3.4. Recess. At the discretion of the Chair, the Board may take a recess at any time during a meeting or hearing. Prior to taking a recess, the Chair shall announce the current time and the time the Board will return to session.

3.3.5. Executive Session. The Board may enter into Executive Session in accordance with M.G.L. c.30A, §21. Prior to entering Executive Session, the Chair shall do the following:

a. Take a roll call vote on whether to enter Executive Session;
b. State the purpose of the Executive Session; and
c. Announce whether the open session will reconvene following the Executive Session.

3.3.6. Public participation. Members of the public may provide public testimony as indicated in this section. Members of the public may provide public testimony in person, virtually, or in writing. Prior to providing public testimony, all individuals must provide their name and address for the record.

- **a. Public testimony during Public Meetings.** Public testimony during public meetings is permitted only at the discretion of the Chair.

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b. Public testimony during Public Hearings. Public testimony will be taken during every Public Hearing.

c. Speaking time. Members of the Public who wish to provide public testimony shall be limited to three (3) minutes of speaking time initially, unless the Chair chooses to grant additional time. Each person will have the opportunity to speak once but may have the opportunity to speak again at the discretion of the Chair after all members of the public who wish to speak have done do.

d. Written testimony. Written testimony will be accepted as part of the record until the closing of the Public Hearing. Members of the public are encouraged to submit written comments at least 48 hours before the scheduled meeting to ensure the Board has time to review. Staff will read or summarize any written comments submitted for the record during the public testimony portion of a Public Hearing.

e. Standards of conduct. All public testimony shall be directed to the Board. The Chair may at their discretion ask Staff, an applicant, or Trustees to respond to Public Testimony.

3.3.7. Roberts Rules of Order. The Board shall follow Roberts Rules of Order ('Roberts Rules") to the extent reasonably possible, unless Roberts Rules conflict with federal, state, and/or local law or regulations.

3.3.8. Motions. Any Member except the Chair may make a motion. Once a motion is stated, it shall be in the possession of the Board and may only be disposed of by vote.

a. Order of Motions. The Chair shall put all questions in the order in which they are moved, unless the nature of a motion requires it to proceed or succeed another.

b. Withdrawal. The mover may withdraw a motion at any time before a decision or amendment to the motion is made.

3.3.9. Voting. While considering a motion, voting may be initiated by the Chair, or their designee, asking for a vote. The number of Trustees that must vote in favor of a motion for it to pass is the same as the number required for a quorum. The record shall show the vote of each member upon each motion.

a. **Roll call vote.** A vote shall be taken by a call of the roll at the request of at least one (1) Trustee or otherwise as required.

3.3.10. Minutes. The Board shall maintain accurate meeting minutes, including a record of all votes taken at a meeting. The Board shall approve minutes for a meeting within three (3) Regular Meetings. All approved minutes shall be publicly accessible.

b. **Executive session minutes.** Minutes of Executive Sessions shall be kept separately from the minutes of open sessions and kept in compliance with the Open Meeting Law.

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4. FUNDS, REPORTS AND ACCOUNTS OF THE HOUSING TRUST

4.1. Funds of the Trust

4.1.1. Funds Paid Into the Trust. All monies paid to the Trust in accordance with any zoning ordinance, exaction fee, loan or grant repayment, or private contribution shall be paid directly into the Trust and need not be appropriated or accepted into the Trust, unless contradicted by any general or special law.

4.1.2. Expenditure of Funds. General revenues appropriated into the Trust become Trust property and need not be further appropriated to be expended.

4.1.3. Retention of Funds. All monies remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within one year of the date they were appropriated into the Trust, remain Trust property.

4.1.4. Custodian. The City of Watertown Treasurer/Collector shall be the custodian of the Housing Trust's funds. The Treasurer/Collector shall invest the funds in the manner authorized by state statute. Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust. Expenditures by the Trust shall be processed through the warrant but shall be controlled by the provisions of M.G.L. c. 44 §55C.

4.2. Reports and Accounts of the Trust.

4.2.1. Accounts and Audits. The books and records of the Trust shall be maintained by the City Treasurer/Collector and audited annually by an independent auditor in accordance with accepted accounting practices. This audit may be part of the annual City audit.

4.2.2. Reporting. The Trustees shall make an annual report to the City. The report shall include a description and source of funds received and expended and the type of affordable housing programs or properties assisted with the funding. Such report shall be sent to the Manager not later than December 31 of each year, and a copy thereof shall be filed with the Department of Community Development and Planning. The Trustees shall also provide the City Council with a copy of the Housing Trust's annual audit if conducted separately from the annual City audit.

4.2.3. Notice of Funding Decisions. Following a vote of the Board to allocate Trust Funds, the board authorizes Staff and the Chair to prepare a Funding Award Decision to be submitted to the Assistant City Manager of Community Development and Planning.

- **a. Content.** The Funding Award Decision will identify the awardee, the proposed project details, the amount of total funding awarded, and any conditions imposed by the Board. Additional content and details of the Funding Award Decision may be provided in a Funding Award Decision policy as adopted and/or updated by the Board.
- **b. Timing.** The Funding Award Decision shall be submitted to the Assistant City Manager within two (2) weeks of the Board's vote authorizing the use of funds, with a copy to the awardee.

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4.3. Other Funds Overseen by the Trust

4.3.1. Other Funds Overseen by the Trust. Per the Administrative Code §A303a, the Trust oversees the City's affordable housing monies not part of the Affordable Housing Trust Fund, including HOME funds via West Metro HOME Consortium and Community Development Block Grant funds. All non-Affordable Housing Trust Fund monies will be kept separately from the City's Affordable Housing Trust Funds and are not considered funds of the Trust. The Trust shall follow all relevant federal, state, and local laws and program regulations for the expenditure, use, reporting, and retention of all affordable housing monies it oversees.

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Watertown Affordable Housing Trust
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Background

The Watertown Affordable Housing Trust Board of Trustees (the Board) is tasked with advancing the creation and preservation of affordable housing in Watertown. As part of this responsibility, the Board oversees the Watertown Affordable Housing Trust Fund (the Trust Funds) to advance affordable housing development in the City through direct action or through financial support to developers for affordable unit creation. As the Trust is uniquely positioned to provide funds quickly to meet opportunities in the real estate market, a streamlined process to document the Trust's funding actions is critical to the Board's work.

The Board recognizes that authorizing the Chair and Staff to prepare and testify to their votes will allow for faster allocation of Trust funds to match the Trust's ability to nimbly act to secure opportunities for affordable housing development.

Funding Award Decision

The Board authorizes the Staff and Chair to prepare a Funding Award Decision documenting the Board's decision to award funding within fourteen (14) days of the Board's vote. Funding Award Decisions will be signed by the Chair of the Board and shall act as an official record of the Trust's vote and allocation, without need for further review by the Board. The Decisions will include the following information:

- Date of the public meeting(s) where the application was heard;
- Name and address of the Awardee;
- Brief project description;
- Total Funds awarded;
- Record of the vote taken, including the motion voted on and the vote of each Trustee; and
- All conditions imposed by the Board for the awarded funds.

The Decision shall be addressed to the Assistant City Manager of Community Development and Planning. Copies of the Decision will also be shared with the City Manager's Office, the Awardee, and the Board.

Duration of Authorization

The Board makes this authorization indefinitely, until such a time as the Board adopts a new policy at a public meeting.

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