A Housing Bill of Rights

For the Commonwealth of Massachusetts

A situation analysis and framework declaration on housing supply, affordability, and the reforms required to honor the founding promise — in the state where that promise was first made, and where the distance between promise and reality is now most starkly visible.

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Preamble

Massachusetts is where the American republic began. The revolution was argued in Boston, organized in Concord, and constitutionalized — for the first time anywhere — in the Commonwealth's 1780 constitution, which predates the federal document by seven years. John Adams wrote that constitution. It declared, in language the founders considered self-evident, that government exists to secure the safety, prosperity, and happiness of the people.

Two hundred and fifty years later, the Commonwealth that made that argument cannot produce a modest home at a price a working family can afford. Not because the land is unavailable. Not because the technology is insufficient. Not because the political will is absent from the public, which polls at 78 percent in favor of the most basic lot-size reforms. But because 351 cities and towns have each, over decades, independently layered restriction upon restriction — on lot sizes, on permitting timelines, on construction methods, on workforce entry — until the cumulative weight has made modest homebuilding economically irrational.

> *Massachusetts did not invent exclusionary zoning. But it perfected it — and in doing so it documented, more completely than anywhere else, both the mechanisms of failure and the path back.*

This document is written from Massachusetts, by someone who has governed here, chaired a housing trust here, and sat on the boards that administer these systems. But the lessons are not local. What Massachusetts reveals about the gap between founding promise and housing reality is visible in varying degrees in every state. The reforms documented here — drawn from Montana, Florida, Wisconsin, Rhode Island, Washington state, and a dozen others — are already working elsewhere. They are available to be adopted here, and anywhere the same failure presents itself.

A note on method: this document draws on well-sourced national data from the National Association of Home Builders, Harvard Joint Center for Housing Studies, the Mercatus Center, the Pew Charitable Trusts, and the Minneapolis Federal Reserve, among others. Where data has been extrapolated, it is noted explicitly. The analysis is meant to be honest about what we know and what we have estimated.

The Situation

THE NUMBERS

Governor Healey's housing plan calls for 222,000 new homes and apartments across Massachusetts in the next decade. The state currently builds roughly 18,000 per year — a pace that has been essentially flat since 2020. At the current trajectory, the production gap will not close. It will widen.

The all-in cost of building a modest 1,500-square-foot, three-bedroom home illustrates why. In Massachusetts, construction costs for a conventionally built, modestly finished home — standard systems, builder-grade finishes, no luxury materials — run approximately $200 to $220 per square foot, among the highest in the nation for that class of construction. Custom and high-end work in markets like the Berkshires can run three times that figure or more, but the relevant benchmark here is the modest home a working family might actually need. Even at the entry level, Massachusetts is in a category by itself.

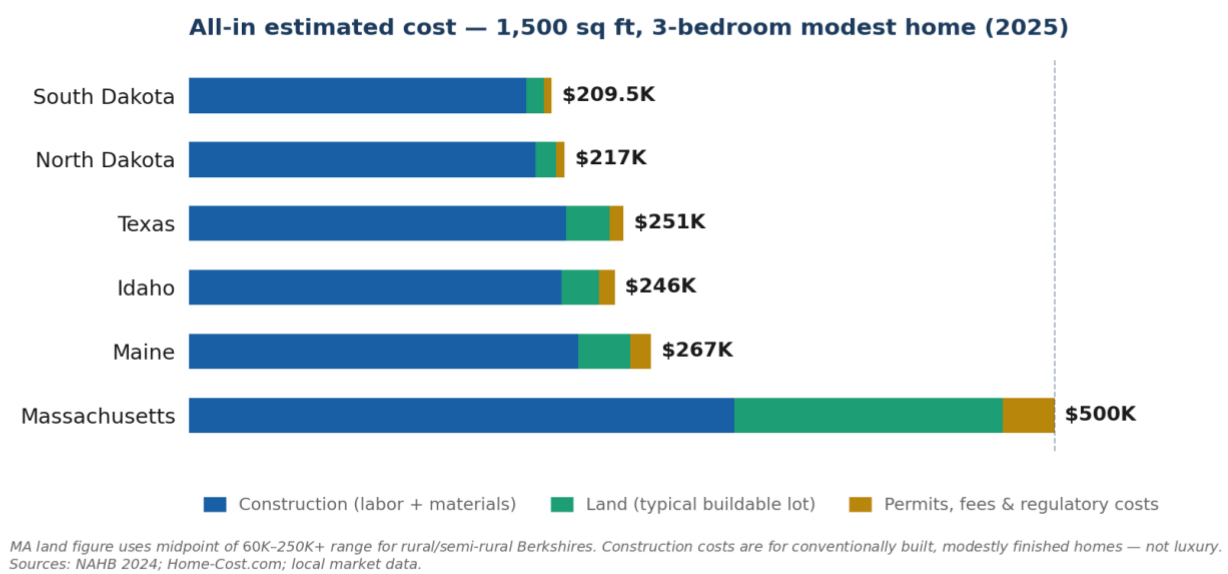

Figure 1. All-in estimated cost for a 1,500 sq ft modest home. MA land uses midpoint of $60K–$250K+ local range. Construction costs reflect conventionally built, modestly finished homes only. Sources: NAHB 2024; Home-Cost.com; local market data.

The chart above makes the Massachusetts premium undeniable. Maine — a cold-climate, rural-tradition state with meaningful environmental regulations — comes in at roughly $265,000 all-in. Idaho at $245,000. The Dakotas under $220,000. Texas at $240,000 to $280,000. Massachusetts is not merely expensive. It is structurally in a different category, and the gap is driven by identifiable, addressable policy choices.

WHERE THE PREMIUM COMES FROM

The cost premium is not primarily a climate or geography story — Maine shares both. It is a regulatory and land story with three distinct drivers, each of which is the product of choices that can be unmade.

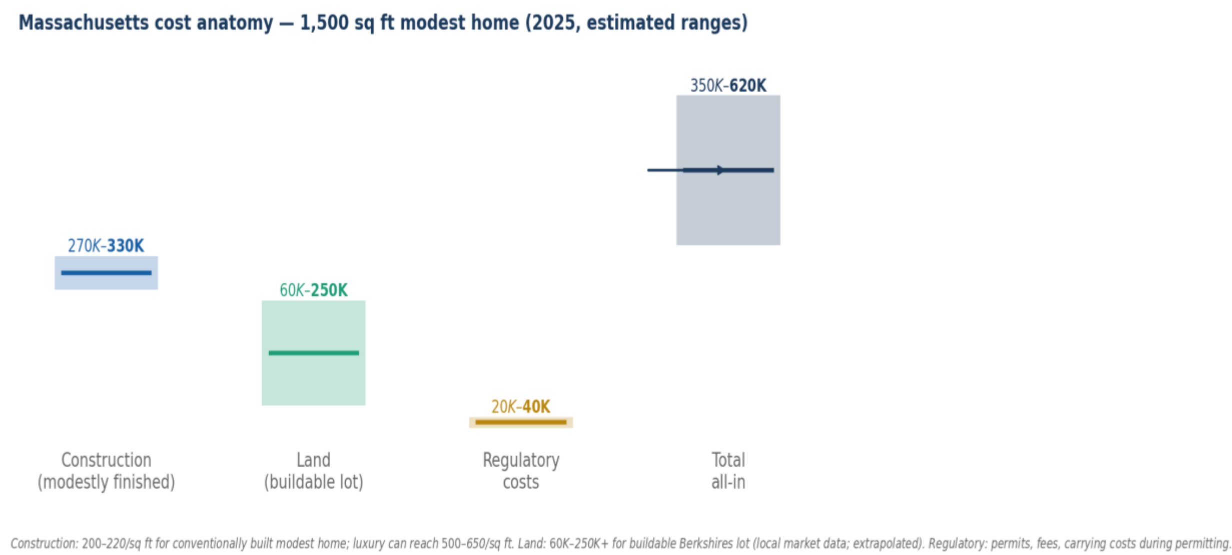

Figure 2. Massachusetts cost anatomy: estimated ranges for each component of the all-in price. The land range ($60K–$250K+) reflects the Berkshires buildable lot market — extrapolated from local professional assessment, not a published dataset.

The land premium is the most direct. Massachusetts has among the largest minimum lot size requirements in the country. Ninety-five communities zone at least half their land for homes on one-acre lots or larger. Twenty-seven communities zone more than 90 percent of their land that way. Fourteen reserve more than 90 percent for two-acre minimums. Harvard Kennedy School research finds that each additional acre of minimum lot size is associated with an 8 percent drop in the share of affordable homes in a locality. When you legally require that every house occupy an acre of land, and there are only so many acres, the price of each permitted building right rises until the market clears — at a price no working family can pay.

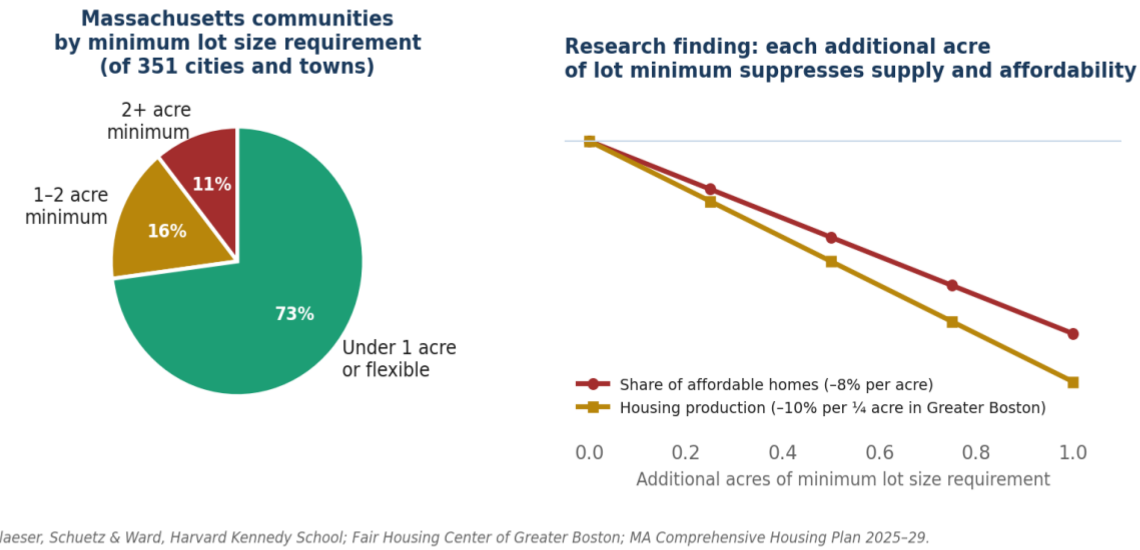

Figure 3. Left: distribution of Massachusetts communities by minimum lot size requirement (of 351 cities and towns). Right: Harvard Kennedy School research finding — each additional acre of lot minimum suppresses affordable home share by 8% and reduces permit issuance substantially. Sources: Glaeser, Schuetz & Ward; Fair Housing Center of Greater Boston; MA Comprehensive Housing Plan 2025–29.

The regulatory process premium is less visible but just as real. A typical residential project in Massachusetts moves through a planning board, a zoning board of appeals, a Conservation Commission, a Board of Health, a building commissioner, and in many communities a design review or historic district commission. There are no statewide timeline mandates. A permit that takes two weeks in Houston can take eighteen months in a Massachusetts suburb. At seven percent interest on a $400,000 construction loan, eighteen months of carrying costs adds more than $40,000 to the final price before a board has voted.

The construction cost premium reflects a genuine labor market reality: Massachusetts residential construction workers earn, on average, $96,000 annually. In rural Western Massachusetts, the tradesperson cost premium above northern Berkshire County rates is estimated at roughly two times — driven by the region's short construction season, competition from the seasonal hospitality economy for the same labor pool, and the absence of a modular or factory-built housing manufacturing base within reasonable logistics distance.

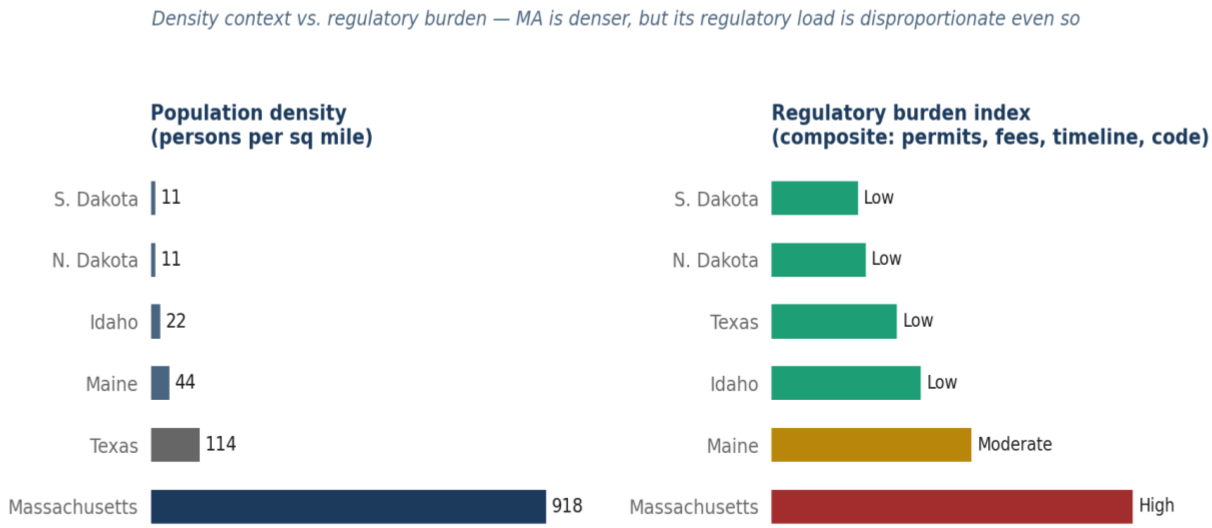

Figure 4. Massachusetts is substantially denser than comparison states — a fact that justifies more regulatory complexity. But its regulatory burden index is disproportionate even accounting for density. Sources: NAHB; Home-Cost.com; HomeGuide permit cost data; author composite index.

THE SILOS NOBODY CONNECTS

Housing policy is usually discussed in isolation from the forces that shape it. That is a mistake. The housing crisis cannot be solved by zoning reform alone, construction innovation alone, or workforce development alone. It is a systems problem, and the systems are interlocked.

The labor-housing doom loop is perhaps the most important: high housing costs drive construction workers out of the state and region. Fewer workers mean slower, more expensive construction. More expensive construction means fewer homes built. Fewer homes mean higher housing costs. Massachusetts loses more than 33,000 residents to domestic outmigration annually — a figure offset for now by international immigration, which is itself at federal policy risk.

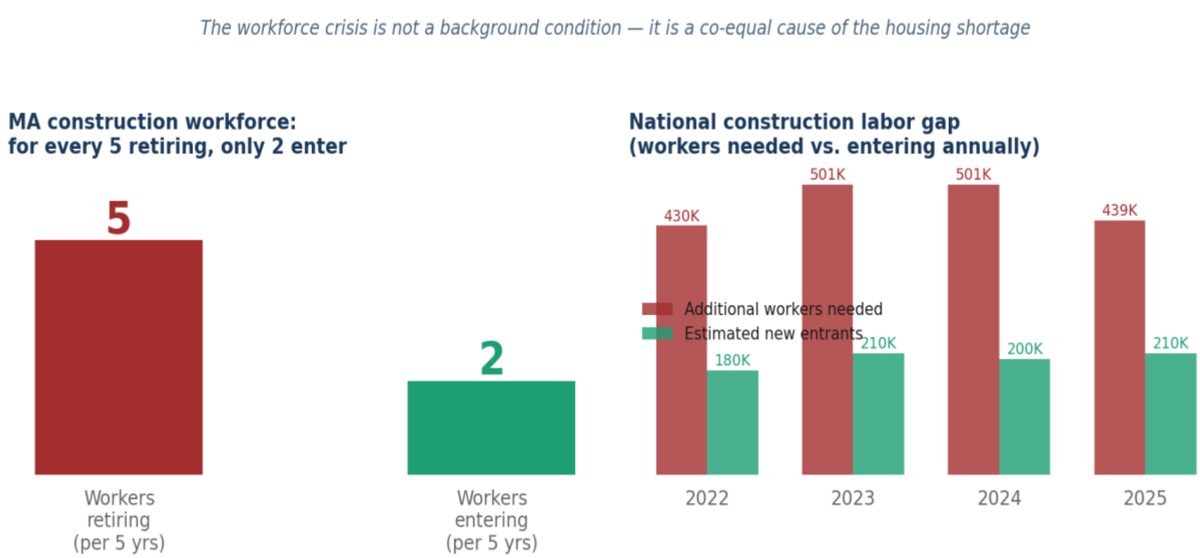

Figure 5. Left: Massachusetts construction workforce retirement cliff — for every 5 workers retiring, only 2 enter. Right: national construction labor gap, 2022–2025. Sources: Homebuilders and Remodelers Association of Massachusetts; Home Builders Institute Fall 2025; Associated Builders and Contractors.

One in three construction tradespeople nationally is foreign-born. The same enforcement posture that tightens immigration is tightening the workforce that builds the homes. Research has demonstrated that historic increases in immigration enforcement negatively impacted housing supply by reducing the size of the construction workforce. This is not a political argument. It is a construction workforce argument with direct housing cost consequences.

The vocational pipeline has been underinvested for a generation. For every five construction workers retiring in Massachusetts, only two enter the field. The 70 percent of the current construction workforce expected to retire by 2030 is not a projection to worry about later — it is a countdown already in progress. Electrician apprenticeships take four years. The workforce cannot respond to market signals quickly even when the economic case for joining the trades is compelling.

Proposition 2½ and the infrastructure trap closes the loop in rural towns. Municipal property tax levies are capped. State forest and conservation land — in some rural towns comprising a third or more of total acreage — generates no property tax revenue, replaced by PILOT payments worth a fraction of equivalent private land value. Towns cannot fund the roads, water lines, and sewer capacity that would make land buildable without new growth. New growth cannot happen without infrastructure. The circle closes with no exit.

Short-term rental displacement is a distinct harm, often conflated with the failure to build. In tourist-economy towns — the Berkshires, Cape Cod, the Islands — a meaningful share of existing housing stock has been converted to short-term rental use, removing units from the long-term market without the community having failed to build them. The policy response to displacement is different from the policy response to undersupply. Both are needed.

A Housing Bill of Rights

We propose the following ten rights not as aspirations but as claims — grounded in the founding commitments of this republic, articulated in the language of the present crisis, and connected to the specific reforms that would honor them.

I. The right to shelter as a precondition of the American promise

The founders declared the right to pursue happiness. They could not have meant a pursuit conducted from a car, a doubled-up apartment, or a commute that consumes two hours a day. Stable, decent housing is not a policy preference — it is the ground on which every other right and opportunity stands.

In 1776, the founders were concerned with the tyranny of a distant government. In 2026, the tyranny is closer and quieter: it is the accumulated weight of local rules, each locally defensible, collectively producing a system in which the promise of the republic is available only to those who already own a piece of it. The nation's 250th year is the right moment to name this plainly and commit to changing it.

II. The right to live within reach of where you work

No American should be priced out of the community their labor sustains. Teachers, nurses, firefighters, tradespeople, farmworkers, and seasonal hospitality workers are not optional amenities. They are the infrastructure of civic life. When they cannot afford to live where they work, the community does not merely become unequal. It becomes dysfunctional.

In the Berkshires, in coastal Massachusetts, in resort communities across the country, this is not a projected problem. It is a present reality. The essential workers who make these communities worth living in are commuting forty-five minutes each way, living in their vehicles in season, or leaving for places that will house them. The loss is not only economic. It is cultural. It is the slow erasure of the community the market has decided it cannot afford.

> **Reforms:** By-right missing middle and workforce zoning; deed-restricted workforce housing; seasonal community designation enabling legislation; community land trusts; short-term rental regulation to protect long-term housing stock.

III. The right to build a modest home on a modest lot

Across Massachusetts, it is illegal to build the kinds of homes that once built the middle class — on the kinds of lots they were built on. Minimum lot requirements of one to two acres, written decades ago to protect scarcity and exclude newcomers, have made modest homeownership mathematically impossible across vast swaths of the Commonwealth.

A 5,000-square-foot lot was sufficient for three generations of American families. It remains sufficient now. The 2026 Legalize Starter Homes ballot initiative — which 78 percent of Massachusetts voters supported in a May 2025 poll — would preempt local minimums that require larger lots where public water and sewer are available. It is a modest reform with an outsized impact, and it illustrates that the public is well ahead of the political system on this question.

> **Reforms:** Legalize Starter Homes ballot initiative (2026); statewide minimum lot size preemption; by-right subdivision of oversized parcels; elimination of contiguous-upland requirements that inflate effective lot minimums.

IV. The right of communities to use land held in the public trust

The Commonwealth of Massachusetts holds hundreds of thousands of acres of state forest and surplus public land — in some rural towns comprising a third or more of total acreage. This land was acquired and is held in trust for the people of the Commonwealth. In a housing crisis of this severity, the strategic release of appropriate edge parcels — near existing infrastructure, away from ecological cores, on terrain that serves neither unique recreation nor conservation purposes — is not a betrayal of conservation values. It is an expression of them.

The same state that holds this land also tells rural municipalities to produce more housing. The instruction is issued without the tools to comply. Towns with thirty or forty percent of their acreage in state hands and the rest in wetlands, slopes, or conservation restrictions cannot rezone their way to housing abundance. They need land. The Commonwealth has it.

> *Note: Specific DCR parcel suitability requires GIS mapping of edge parcels against infrastructure access and ecological sensitivity. This opportunity should be treated as conceptual pending that analysis.*
>
> **Reforms:** State forest edge development program with ecological suitability screening; surplus land disposition fund; public land transfers to community land trusts at below-market value; PILOT formula modernization to compensate host towns fairly.

V. The right to a fair and timely permitting process

Regulatory review serves the public good. It does not serve the public good when it takes eighteen months, runs through six separate boards with no coordinated timeline, provides no statutory deadline for decision, and can be undone by a neighbor's lawsuit filed the morning after approval. The hidden tax of permitting delay is neither hidden nor small: at seven percent interest, eighteen months of carrying costs on a $400,000 construction loan adds more than $40,000 to the final price before a family moves in.

Florida now requires municipalities to process permits for single-family, duplex, triplex, and quadplex structures under 7,500 square feet within thirty days. Wisconsin requires opponents of land-use approvals to demonstrate personal damages — not merely public harm — to file a challenge in court. Rhode Island funds pre-qualified consultants to help its thirty-eight smallest cities and towns modernize zoning and permitting systems. Massachusetts has adopted none of these reforms. It should adopt all of them.

> **Reforms:** Statutory permit decision timelines (Florida model: 30 days for small residential); standing reform for housing litigation (Wisconsin model); single Conservation Commission contact standard; mandatory timeline regulations; municipal technical assistance program (Rhode Island model).

VI. The right to environmental protection that serves people as well as ecosystems

Wetlands, aquifers, and forests deserve protection. So do the people who live beside them. The Wetlands Protection Act, Title 5 septic standards, and local conservation bylaws were born from genuine environmental necessity in a densely settled, ecologically constrained state. By most measures, those responses worked.

But a regulation that begins as environmental protection and ends as an instrument of exclusion has changed its nature without changing its name. The sixty percent of Massachusetts communities that have layered local septic restrictions above state Title 5 minimums are not, in most cases, responding to documented local conditions that differ from the state standard. They are exercising a veto. The Title 5 bedroom-counting formula that turns adding a single bedroom or accessory dwelling unit into a $30,000 septic upgrade event is not protecting aquifers. It is protecting scarcity. These distinctions are worth making, and the reforms that follow are not anti-environmental. They are pro-honesty.

Reforms: Title 5 reform of bedroom-count formula for ADUs; justification requirements for local bylaws exceeding state minimums; alternative septic technology fast-track approval; Conservation Commission timeline mandates; statewide wetlands buffer evidence standards.

VII. The right to build with the best available tools

American workers built housing at industrial scale during the postwar boom that produced the middle-class neighborhoods the nation is now pricing people out of. The tools have improved. Modern manufactured homes cost thirty-five to forty-five percent less per square foot than comparable site-built homes. Modular construction can complete a home in weeks rather than months. Single-stair building codes — which allow apartment buildings with one egress staircase and contemporary sprinkler systems — enable more units per floor and family-sized apartments on lots that a double-stair requirement would make unviable.

Colorado, Montana, and Texas passed single-stair legislation in 2025. Montana now prohibits local zoning from treating factory-built homes differently from stick-built. The absence of a modular manufacturing facility within fifty miles of Boston — identified by the Metropolitan Area Planning Council as the primary barrier to modular adoption — means the cost savings of factory-built construction are effectively unavailable to the region that needs them most. This is a solvable logistics problem. It requires a policy decision to solve it.

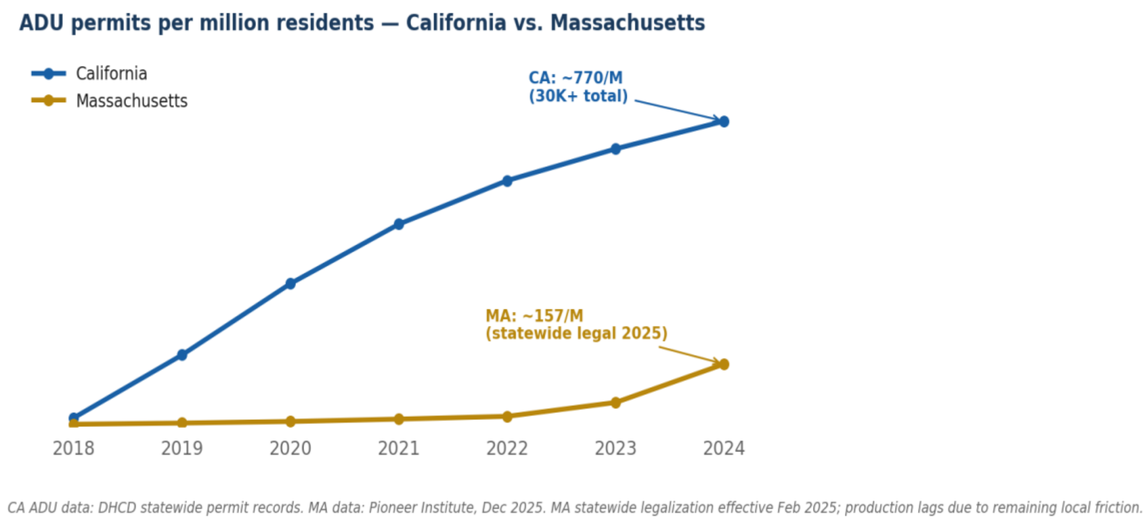

Figure 6. ADU permits per million residents — California vs. Massachusetts. California's steady reform since 2016 produced 30,000+ ADU permits in 2024; Massachusetts's 2025 legalization has not yet moved the production dial, demonstrating that legalizing a housing type is not the same as removing the friction that prevents it from being built. Sources: Pioneer Institute Dec 2025; CA DHCD statewide records.

Reforms: Manufactured home zoning parity (Montana model); single-stair building code reform (Colorado, Texas model); modular cooperative pre-purchasing program; factory-built permitting streamlining; regional modular manufacturing hub feasibility study and investment.

VIII. The right to enter the building trades without artificial barriers

For every five construction workers retiring in Massachusetts, only two enter the field. One in three tradespeople nationally is foreign-born. Electrician apprenticeships require four years. Plumber licenses require five. These are not abstract statistics — they are the reason the Commonwealth cannot build 222,000 homes in a decade even if it rezones every acre tomorrow.

Vocational education is a public investment with a measurable return. A carpenter who completes a union apprenticeship program earns $77,000 to $100,000 annually with no college debt and a pension at the end of a career — a trajectory that most four-year degree programs do not match. The cultural drift away from the trades is not an economic inevitability. It is the product of policy choices: underfunded vocational schools, college-or-bust guidance counseling, and thirty years of messaging that manufacturing and construction were declining industries.

The immigration dimension is not a political argument — it is a construction workforce argument. Research has demonstrated that historic increases in immigration enforcement negatively impacted housing supply by reducing the size of the construction workforce. Interstate licensing barriers that prevent a licensed plumber from Maine or Vermont from working in Massachusetts without re-examination further constrict an already tight market. Every artificial barrier to workforce entry has a housing cost.

> *Note: The Berkshires tradesperson cost premium of approximately two times the north county rate is professional assessment from Trust and Select Board work; independent published documentation is not available at the time of this draft.*

> **Reforms:** Reciprocal interstate licensing compacts for construction trades; vocational school funding equity; Chapter 74 expansion (electrician, plumber, HVAC); apprenticeship pipeline subsidies; federal construction workforce visa pathway reform.

IX. The right to housing that stays affordable across generations

Building a home once is not enough. A deed-restricted affordable unit that converts to market rate in ten years does not solve the housing crisis — it defers it, and the deferral is borne by the next family that needed the unit. Permanent affordability mechanisms — community land trusts, deed restrictions tied to resale formulas, cooperative ownership structures — are the difference between treating a symptom and changing the underlying condition.

The community land trust model is not exotic. Vermont has built a statewide CLT network that has permanently housed thousands of working families. Stowe and Breckenridge have used deed restrictions and land trusts to preserve workforce character while becoming internationally recognized resort communities. The mechanism works. It requires only that the state commit resources to scaling it — a revolving fund, model legislation, and technical assistance — rather than leaving each town to reinvent it independently.

The wealth-building benefits of homeownership are among the most powerful tools for intergenerational economic mobility in the American system. Deed-restricted homeownership, designed carefully, can extend those benefits to the families who need them most while preventing the equity windfalls that drain permanently affordable units back into the market.

> **Reforms:** State community land trust scaling fund; ADU condoization enabling legislation; deed-restriction enforcement standards and model documents; cooperative housing enabling legislation; resale formula standardization; permanent affordability requirements for housing produced through seasonal community designation.

X. The right of small towns to grow without being strangled by their own fiscal structure

Proposition 2½ caps what Massachusetts municipalities can levy in property taxes. State forest and conservation land — in some rural towns comprising a third or more of total acreage — is removed from the tax rolls and replaced with PILOT payments worth a fraction of equivalent private land value. Infrastructure — the roads, water lines, and sewer capacity that make land buildable and housing possible — cannot be funded without new growth, and new growth cannot happen without infrastructure. Small rural towns are caught in this circular trap with no exit provided by the state that created the conditions.

Washington state's Connecting Housing to Infrastructure Program funded water, sewer, and stormwater improvements that unlocked 9,500 affordable homes. Rhode Island created a revolving fund to finance mixed-income housing on public land. Utah's Homes Investment Program leverages transportation funding for low-interest ownership loans. Massachusetts has no equivalent. It has a production mandate without a financing mechanism — an instruction without the means to follow it.

The PILOT formula, last seriously updated decades ago, is the least visible component of this trap. When the state pays a town ten or fifteen cents on the dollar for land it has permanently removed from the tax rolls, the remaining private landowners pay higher taxes to compensate — taxes that contribute to the cost pressure that makes housing expensive. Modernizing PILOT is not generosity. It is arithmetic.

> **Reforms:** Housing-linked infrastructure revolving loan fund (Washington state CHIP model); PILOT formula modernization with independent actuarial review; Proposition 2½ new-growth exemption for affordable housing infrastructure; regional infrastructure cost-sharing compacts; state grants for housing-enabling capital investment in rural and gateway municipalities.

A Declaration, Not a Wish List

These ten rights are not ten separate problems with ten separate solutions. They are one problem — the systematic failure of American housing policy to produce homes at the pace, scale, and cost that the founding promise requires — seen from ten angles. The angle of land. The angle of labor. The angle of process. The angle of permanence. The angle of fiscal structure.

What connects them is a simple observation: none of the barriers described in this document are natural. They are not produced by geography, climate, or the inherent complexity of building homes. They are produced by choices — choices made by legislatures, zoning boards, conservation commissions, building departments, and licensing bodies, each acting with local rationality and collective irrationality. What has been chosen can be unchosen.

> *Massachusetts is the right place to make this argument. It is where the promise was made. It is where the failure is most complete. And it is where the distance between the two is most instructive for a nation that needs to close it.*

The founders left a promise. The generation that inherited it allowed that promise to be systematically priced out of reach for a significant and growing portion of the American population. The generation now in public life has the tools, the evidence, the precedents from other states, and — if the polling data is to be believed — the public mandate to do something about it.

A Housing Bill of Rights will not build a single home. What it can do is establish the moral and political frame within which the specific reforms become not merely technically sound policy choices, but expressions of a commitment this country has carried since its founding and not yet fully honored.

That is worth declaring. Two hundred and fifty years in, it is overdue.

A Note on Sources and Extrapolation

This document draws on primary research from the National Association of Home Builders (Cost of Constructing a Home, 2024; Construction Labor Market Report, Fall 2025), Harvard Joint Center for Housing Studies (2025), the Mercatus Center (Housing Reform in the States, 2025), the Pew Charitable Trusts (2025), the Minneapolis Federal Reserve (2025 state housing pipeline report), the Boston Globe Unlocking Housing Production Commission coverage (February 2025), the Massachusetts Comprehensive Housing Plan 2025–2029, Pioneer Institute ADU production analysis (December 2025), the Home Builders Institute Fall 2025 report, and the Fair Housing Center of Greater Boston. State cost comparisons are derived from Home-Cost.com benchmarks, NAHB data, and Today's Homeowner state-by-state analysis. Population density data from U.S. Census Bureau.

Two figures are explicitly extrapolated and so noted in the text: the Berkshire County tradesperson cost premium of approximately two times north county rates (professional assessment from local Trust and Select Board work; not independently published) and the state forest edge parcel development opportunity (conceptual pending DCR GIS analysis of parcel suitability, infrastructure proximity, and ecological sensitivity). All other data points are drawn from published sources cited above.

A Note on Method

The analysis in this document was developed using a systems-framing methodology — sometimes called re:frame — that deliberately maps the peripheral forces acting on a problem before accepting the conventional boundaries of that problem. Housing supply, school finance, and utility regulation each have well-established literatures and standard analytical frames. The purpose of this approach is not to ignore those frames but to ask what they leave out: which silos are treated as separate that are in fact connected, which causes are treated as background that are in fact central, and which framings are so familiar they have stopped being examined.

The substantive expertise in this work belongs to the author. Patrick White is a serial entrepreneur who has founded and led multiple venture-backed technology companies, raised more than $25 million across six funding rounds, and spent two decades advising organizations across marketing, finance, and communications as both an executive and an outsourced strategist. He currently serves as CFO of Southern Berkshire Ambulance and Berkshire Waldorf High School. His civic record in Stockbridge — elected Select Board member and chair, founder and current chair of the Affordable Housing Trust, founder of the Stockbridge Mohican Commission, Conservation Commission member, and named intervenor in state utility regulatory proceedings — represents the application of that broader analytical experience to public systems. He lived in Boston and the surrounding area for exactly half of his adult life and the balance in a rural Berkshire County town. That combination of private-sector depth and practitioner governance experience is the lens through which the data in this document is selected, questioned, and interpreted, and it is the warrant for the normative claims these documents make: they are not academic analyses of problems observed from a distance. They are arguments made from inside the systems they describe.