

MINUTES OF THE MEETING OF

June 28, 2016

Brookline Town Hall – Room 408

(As approved at the Housing Advisory Board Meeting of September 19, 2016)

Members Present: Roger Blood, Steve Heikin, Mike Jacobs, Karen Kepler, Bill Madsen Hardy, Rita McNally, Kathy Spiegelman

Staff Present: Virginia Bullock

Members of the Public: Alice Wong

Minutes

Roger Blood called the meeting to order at 7:30 p.m. Members reviewed the minutes of the May 17th HAB meeting. Mike noted that he had abstained from the second vote on JCHE. Roger MOVED, Rita McNally seconded, and the Board then

VOTED to accept the minutes of the May 17, 2016 HAB meeting.

Roger then introduced Alice Wong, a Brookline resident and potential new HAB member. Alice is a Senior Loan Officer at Massachusetts Housing Partnership and has over 25 years in affordable housing development. She has also worked at Urban Edge Housing Corporation and Mass. Department of Housing and Community Development. Members welcomed her.

Roger announced that agenda items #2 (Potential for senior housing project on Town-owned Kent/Station Street parking lot) and #3 (discussion of forum on Aging in Place in Brookline) would be skipped until the following HAB meeting. He noted that the anticipated presenter for the project had a last minute scheduling conflict and was unable to attend the HAB meeting. The idea for affordable senior housing project at this site had been presented to the HAB a year previously and the Brookline Improvement Coalition; along with several Town leaders have more recently been meeting to discuss the idea. Members asked whether Town Meeting Members had been involved in the discussions and what their response had been. There was also a request to include the Brookline Village Business District in any discussions, particularly as they are also dealing with major new development projects coming on line (Brookline Place and the new potential for a new Hotel at Riverway).

Proposed State Zoning Legislation: Potential Impact on Brookline Affordable Housing

Roger stated that on June 9th the Massachusetts State Senate passed a bill that will make several significant changes to the zoning laws in Massachusetts. The purpose of the legislation is to reform the regulatory framework for housing development, specifically creating zoning that could encourage new affordable housing development. Currently the House is reviewing the legislation, but it is unclear whether the House will vote on this before the end of the session. Many of the elements of the legislation do not directly affect the Town's affordable housing policies but two specific aspects of the legislation that could affect it – Inclusionary Zoning and the creation of legal accessory dwelling units.

Roger explained that the bill would require communities that already have inclusionary zoning to offer concessions such as density bonuses to compensate for the provision of affordable units. All agreed that this was not necessary for communities that have very strong housing markets, such as Brookline. Many of the other proposed requirements are already being met by Brookline such as requiring some or all of the affordable units serve households earning less than 80% of area median income, that the highest income levels for affordable units be 120% of AMI, and that all affordable units remain affordable for a minimum of 30 years.

Roger then explained that the legislation directs municipalities to authorize accessory dwelling units, by right in any single-family residential district. Lot sizes must be at least 5,000 square feet and conform to Title 5 of the state environmental code and other health and safety codes and laws. Municipalities may require that either of the units be owner-occupied and may cap the total number at 5% of the total non-seasonal housing units. Municipalities may regulate accessory apartments for dimensional setbacks, bulk, and height.

Roger noted that he was concerned about the overall number of parcels that could be affected by this and the potential increase in the total number of housing units. Kathy noted that, while ADUs are not necessarily “affordable” they are generally lower cost units. Roger compared the current legislation to the ADU Warrant Article that the HAB tried to pass several years ago. He noted that our proposed by-law would only have affected lots of 10,000 square feet or more and would have limited total unit size to 700 square feet or 30% of the total living area of the building, whichever is less. The state’s legislation allows the ADU to go up to 900 square feet or 50% of the building area, whichever is less. He noted that he objected to it because it is a “one size fits all” proposal for communities that may have vastly different housing stocks.

Kathy and Mike both stated that, while this was different than the by-law that the HAB had proposed, they were still supportive of this part of the Zoning Bill. ADUs already exist in Brookline and this would make them legal. These units could create more housing opportunities and it is positive that the state legislature is encouraging this. Mike stated that the world is changing and we are going to see different types of tenure in the future. Most HAB members did not think that there would be a massive influx of new ADUs if it became legal to create them. The HAB discussed for several more minutes and Roger stated that he would feel more comfortable if the number of ADUs that could be legally created were capped at a percentage of the single-family housing stock since Brookline has a high percentage of multi-family housing already – unlike many other communities across the state.

Members then reviewed a draft letter from Roger to the Globe in response to an article about Inclusionary Zoning describing how communities can avoid the “cliff effect”. Members approved the letter and asked that a copy be sent to Sheila Dillon, Housing Chief for the City of Boston.

The meeting was adjourned at 9:30 p.m.