

HOUSING ADVISORY BOARD MINUTES

January 4, 2023

VIRTUAL MEETING

DRAFT

HAB Members: Jonathan Klein, Jenny Raitt, Heather Hamilton, Roger Blood, Steve Heikin, Shawn O'Neal

Staff: Joe Viola, Maria Morelli

Presenters: Maria Morelli – Harvard Street

Meeting Materials: 1.4.23 Meeting Agenda, Draft 11.30.22 Meeting Notes, HAB Memorandum to the Select Board re: support for the Town's MBTA Communities Approach, Powerpoint Presentation

<https://www.brooklinema.gov/DocumentCenter/Index/266>

Roger convened the HAB meeting at 5:37 PM.

1. Approval of minutes from HAB meeting of November 30, 2022

Jenny requested edits and then moved to approve the minutes as amended. Steve seconded the motion to approve with other non-substantive corrections to typos to be made through an e-mail to staff.

VOTED: Steve, Jonathan, Jenny, Heather, and Roger voted to approve minutes from November.

2. Presentation and discussion on Regulatory Planning Division's Harvard Street-focused study on barriers to multifamily/mixed-use development and MBTA Communities compliance

- Senior Planner Maria Morelli presented to the Housing Advisory Board utilizing Powerpoint slides.
- She informed HAB members that regulatory staff have been studying and identifying regulatory barriers to multifamily development.
- Maria noted that she is seeking HAB guidance and support for utilizing the Harvard Street corridor to comply with MBTA Communities requirements in time for the December 2023 deadline.
- As well, she is seeking HAB support for a funding request to the Select Board to hire a consultant to do needed work on form based zoning regulations.
- Maria gave an overview of the expected community engagement that would occur leading up to Fall 23 Special Town meeting zoning warrant articles – including presentations to the Planning Board and Preservation Commission (following EDAB and HAB meetings).

- Maria noted the pending availability of a zoning study, which is expected to be available in January 2023.
- The study findings would make clear that multifamily production under the current by-law is not feasible and would recommend remedies that could both incentivize housing production and reinforce neighborhood character.
- The study will make several recommendations to remedy these barriers in the short-term; namely, the form-based zoning approach that reinforces the existing four-story scale and character of the corridor to facilitate infill development without upzoning the corridor.
- Adjustments to zoning could lead to the redevelopment of some of the estimated 51 underutilized lots on Harvard Street for multi-family housing, which is not currently allowed by right.
- Maria discussed potential changes to inclusionary zoning unit threshold that could lead to more affordable moderately-sized affordable units being provided on-site as opposed to payment in lieu of units as well as incentivize ground floor commercial uses.
- In summary, Maria noted that adopting zoning revisions would allow for the implementation of form based zoning in place of Floor Area Ratio which could open up opportunities for housing and commercial uses on underutilized lots without upzoning.

Board Discussion

Steve: Supports using Harvard Street and adjacent multi-family districts to comply with MBTA Communities. Looking concurrently at Inclusionary Zoning makes sense. How do we reconcile need for Special Permit for IZ with MBTA Communities requirement?

Maria: Remove Special Permit for Inclusionary Zoning. IZ is addressed administratively. Adopt a site plan and design review process for projects in the 3A (MBTA Communities) district.

Steve: How do we incentivize commercial on ground floors since we cannot require it.

Maria: Look at flexibility. Consider potential to negotiate on-site units and partial payment. Mandate active ground floor – transparency without mandating use.

Jonathan: Favorable toward this approach to meet MBTA Communities requirements. Clarify how 1700 units could be potentially produced?

Maria: Only considered what the 51 underutilized parcels out of the total 117 parcels in the district could produce. State looks at zoning and all parcels when projecting potential 5400 units. Not every parcel could or should be redeveloped.

Jonathan: Explain how we do this without upzoning? What does that mean?

Maria: Look to existing policy. Generally, the height requirements in the existing zoning districts in the Harvard Corridor allow 4 stories.

Jonathan: Explain form based zoning and why it works for proposed district.

Maria: Succinctly, form based zoning looks at the building envelope without mandating number of units. We care about the form.

Jenny: How did you arrive at Harvard Street from Station to Verndale? What rules out other locations?

Maria: It is an area in which we can apply a consistent urban design for that stretch. Places like Beacon Street have varying scale over its length ranging from 4-story scale to 8-10 stories. It would take a lot more time to do the development pattern study in a year. Harvard is more coherent. Maybe look at Beacon and Washington next.

Jenny: With Housing Production Plan we looked at design prototypes – some of which are 5 stories. We should consider more height where it makes sense to do so.

Maria: Baseline zoning should be 4 stories. We could look at density bonuses in areas that make sense if we can get more affordable units for the Town. Nodes looked at in the HPP could be overlay districts that allow for variable massing. Let's get base zoning right before we start to incorporate things like overlay and density bonuses.

Jenny: Clarify what is allowed under MBTA Communities for affordability?

Maria: Town can use its existing IZ policy. This was a change to original requirements. IZ changes need to be applicable town wide and not just for the 3A district.

Steve: Would like to allow 5-story buildings in the district. A 5th floor could be set back could incentivize mission based developers. Would like to see a 5th floor also used to incentivize commercial.

Maria: A 5th floor could be to incentivize more affordable housing. Commercial development is not a detriment to the proforma. In general, a 5th floor may not have support at Town Meeting.

Public Comment/Question and Answers

Roger proceeded to read questions from the public included sent to the Zoom Q&A:

Janet Kolodner: If small units are 750 s.f., that doesn't provide for families. What kind of planning is there for affordable family housing?

Maria: 750 s.f. is an example. Developers want to provide units for families. There will be an opportunity to look at unit size as planning progresses. We are not trying to be

prescriptive but allowing developers to not skirt the 20 unit threshold means that we will not have luxury-sized units.

Janet Kolodner: What happens to small businesses when 4-story buildings are being built? How do they get compensated for their losses (moving, closing, etc.).

Maria: Hard to say. Some of the first parcels to be redeveloped may be the ones where retail is not successful. Some lots are tough to redevelop due to lot dimensions, so they may not be redeveloped in the short term or at all.

Bob Miller: Has there been a consideration of office space, which could help retail?

Maria: Office is not precluded. If there is an opportunity for office space, that is allowed.

Jesse Hefter: With potential for 5400 units, what impact would this growth have on schools, traffic, infrastructure?

Maria: We are not extrapolating 5400 units - this is a theoretical number not a production number. Adjustments to zoning let this new growth to happen over time. Upzoning would lead to more incentive to demolish and replace buildings. The proposed approach will keep pace regular and not intensify it. Fair housing laws exist. We can talk about how to accommodate new growth, but we cannot base land use decisions on the idea of too many people.

Jesse Hefter: Comment on Tattle space at Fuller and Harvard Streets. There is much more congestion due to customer parking and delivery trucks. If we keep this model throughout the rest of the corridor, how do we deal with the consequences?

Maria: This is an example of curb control. We are studying curb control and planning for the public way. We need to think about how to share the curb with all modes - pedestrians and bicycles as well as customer parking and delivery trucks. We need to study how private parcels interact with public spaces and balancing infrastructure needs on private parcels and public spaces.

John Harris: Please define unit – a unit can mean 1-4 people. Please clarify.

Maria: We define what a dwelling unit is in the zoning by-law. More than 4 unrelated people cannot occupy a unit.

Charles Homer: Will developers want retail or will they prefer housing at all levels?

Maria: No one puts residential on the ground floor. They'd rather build something that they can lease. In the Harvard corridor there is motivation to put something on the ground floor.

David Rockwell (elevated to panelist): Form based zoning is complicated. Are you confident that the changes to form based zoning can be made in a timely manner? If a

developer were to propose housing on the ground floor, would the Town oppose that? Is there flexibility to accommodate mixed-income housing, which needs a scale of about 30 units?

Maria: Timing will work if the scope is funded. We've done a lot of the work in-house. If we stick to base zoning and not look at overlays and density bonuses this could be done by June.

Vote

Roger noted that due to time constraints the Board should move to a vote related to a letter of support from the HAB to the Select Board in support of the form based zoning approach to MBTA Communities requirements and for funding needed by the Planning Department to procure a consultant to assist with the technical work.

Motion:

Roger moved approval of the letter that was included in the HAB packet.

Jenny wanted to offer edits prior to moving approval.

Steve inquired whether the vote would include a commitment of Housing Trust funds? Maria clarified that no Trust funds were being sought.

HAB members and staff edited the document.

The Board voted on the document, as edited:

On the motion it was:

All those in favor of sending the letter to the Select Board

Aye: Steve Heikin, Jenny Raitt, Jonathan Klein, Shawn O'Neal, Roger Blood

3. Other Business

Roger noted that the draft Housing Production Plan was expected in the next week.

Steve noted that three members of the HAB would be on the HAB's Affordable Housing Overlay District subcommittee. Steve inquired whether HAB members had ideas for a member of the development community to serve on the subcommittee – suggesting that Amy Schectman might be a good addition as both a developer and resident, or perhaps Bill Madsen Hardy.

If a developer perspective is needed for the subcommittee – potentially a mission-based developer - HAB member recommendations are desired.

Roger closed the meeting at 7:14 PM.