

HOUSING ADVISORY BOARD MINUTES

February 17, 2021

VIRTUAL MEETING

(As approved at the March 17, 2021 HAB Meeting)

HAB Members: Roger Blood, Steve Heikin, Michael Jacobs, Jennifer Raitt, Rita McNally, Jonathan Klein, Pam Goodman, Heather Hamilton

Staff: Virginia Bullock, David Guzman, Joseph Viola, Linda Hickey, Monique Baldwin

Attendees: Henry Winkelman, Deborah Brown

Roger Blood called the meeting to order at 5:05PM

1. Approval of minutes from January 20, 2021 HAB Meeting

Pam made a motion, Rita McNally seconded and HAB members

VOTED unanimously to approve the minutes from the meeting of January 20, 2021

2. Discussion and vote on Warrant Article to update Section 4.08 (Affordable Housing Requirements) of the Town's Zoning By-law.

Roger Blood went over the proposed changes to strengthen Section 4.08 - the Town's Inclusionary Zoning by-law. The draft warrant article and explanation were included in the HAB package. The proposed changes include technical changes for calculating how household sizes are set to be consistent with the state's LAU program, referencing the Affordable Housing Guidelines for how rents and prices plus surcharges will be set, and setting lower floors for rental and ownership units at 50% for rental and 80% for ownership. Guidelines will also include how to calculate additional fees if developers decide to serve households at the higher income limits included in the by-law. (The maximum will be 80% AMI for rentals and 120% AMI for homeownership units.)

Michael Jacobs stated that while the goal is consistency with DHCD, DHCD calculates rents differently than HUD. The result is that sometimes our rents are higher and sometimes lower for the IZ units. Virginia noted that it was not crucial that they be the same as HUD rents as there was no federal funding in these units and that the proposed method would reflect DHCD guidelines.

The timing of these changes is important as we approach 10% of the Town's total units being eligible for the SHI. Once 10% is reached, it would trigger a change in the way affordability is calculated that would reduce the developers' cost of compliance. Essentially this Article is Phase II of the work that we did with Pam McKinney to strengthen the by-law

Mike raised the issue that rents levels for the 100% AMI category are very close to the market rate. Virginia stated that there are a number of current opportunities at rent levels that are close to 100% AMI at this time, possibly due to the pandemic. Pam expressed concern that we should not base our policy on current conditions and that there are many households earning 100% AMI that cannot afford to rent in Brookline.

Roger noted that we could keep the maximum at 80% under the Guidelines but, should future market conditions change, the upper limit on rentals could be raised to 100% AMI in the future by changing the Guidelines. After some further discussion,

HAB **VOTED** unanimously to set the maximum for rental units at 80% area median income at this time.

Jenny moved that the warrant article be filed as presented, Steve seconded and the

HAB **VOTED** unanimously to support the warrant article as proposed.

3. Presentation and discussion of recently passed economic recovery and reform bill An Act Enabling Partnerships for Growth – focused on changes to Zoning Law to promote housing

Jonathan then made a presentation of the Housing Provisions in the recently passed Economic Development Law (H5250) utilizing a presentation done by CHAPA and also a legal opinion on the zoning provisions of the new law prepared for municipalities.

He reviewed the Housing Choice provisions that lowers the vote required from 2/3 majority of Town Meeting to a simple majority for specific provisions that would promote additional housing development, including multifamily, ADUs, and Cluster development. This would also apply to changes in zoning of dimensional requirements when it has the impact of allowing additional units than otherwise permitted. Steve noted that the Planning Department is looking at possibly raising FARs and/or reducing Parking requirements to produce additional housing. There are similar provisions that would allow these changes to take place via special permit.

The legislation includes a provision that requires multifamily zoning in MBTA communities. Brookline already has a number of multifamily districts close to MBTA stations so this provision most likely will not impact Brookline. Abutter appeal reforms will allow judges to require a \$50,000 bond – making it more difficult to appeal special permits, variances, and possibly 40Bs. The legislation includes an increase in State Low Income Tax Credits as well as several other bond authorized funds to be managed by DHCD; also changes to 40R which may not be currently applicable to Brookline. Finally it ensures tenant representation on Housing Authority boards, although Brookline has had this provision for a long time.

Jonathan remarked that there are opportunities for changes to zoning that will support increased housing development and that some people are anxious to start proposing changes immediately, although he believes that we should first engage in the Housing Production Plan process.

DHCD will be issuing guidance about what is considered an MBTA station and whether bus stops count, although Jenny stated that she believes it refers to bus stations not just stops.

There was a brief discussion on 40R. Members agreed that it should be looked into it as part of the HPP.

4. Presentation by Brookline Improvement Coalition on its Strategic Plan

Roger welcomed Deborah Brown and Henry Winkelman from the Brookline Improvement Coalition (BIC).

Deb stated that the BIC is now 40 years old. BIC has huge potential and wants to work with others like the BHA and the HAB. BIC has been having strategic planning meetings every Wednesday since June, producing a program for 2021-2026. She went over the mission statement for the organization, recommitting to diversity and inclusion.

BIC's five areas of focus include: Community Engagement (including individuals, government, and nonprofits); asset management; internal management - financial stability and fundraising; affordable housing and first time homebuyer course; and resources for individuals.

One HAB member asked if BIC's CDC recertification had lapsed. Deb stated that they were currently renewing it. Another member asked if BIC would be partnering with other CDCs. Deb stated that it is very difficult to do development in such an expensive community so they hoped to partner with others. Their goal is "40 units in 4 years". BIC is interested in teaming up with an experienced developer, such as Winn or another CDC.

Members discussed the history of BIC. BIC acted as a sponsor for the Town on the 1754 Beacon Street property – Pine Street Inn Property. Something like this is a very effective role for BIC. The BIC used to be CHODO but because of lack of development activity and board composition, that HUD-designated status lapsed. In the past, BIC has helped with the purchase of foreclosed affordable units and holding property in general. Currently BIC owns two properties – 1017 Beacon Street which is an SRO currently managed by Pine Street Inn and 154-156 Boylston Street which is a six-unit property.

Roger noted that just as the BHA has become an active productive partner in affordable housing creation, he hopes that the BIC can also become a productive partner with the Town and the HAB. Other things that CDCs can do include besides development, include advocacy, education, and services. Deborah stated that they were definitely interested in education and advocacy but providing services is not something they will provide in the next 5 years as she believes this takes more capacity than the organization currently has.

Mike noted that he was on the BIC board thirty five years ago and asked about the order of BIC's priorities. Their first issue is sustaining the organization; he asked what steps they were taking to accomplish this. Deb agreed and stated that they need more people who are experts and possibly an Advisory Committee in addition to the board. She invited HAB members to join the Advisory Board.

Roger Blood encouraged BIC to participate in the HPP, particularly with community outreach.

5. Updates:

- HPP – The RFP was, for the second time, discussed by the Select Board where a 4 to 1 vote was taken to support of the language proposed by the staff and HAB. Roger and Jenny participated in the SB meeting as HAB representatives. There was a discussion about the difference between an HPP and a Comprehensive Plan. Members discussed how Warrant Article 34 had originally been drafted to encourage the Town to undertake an HPP but that it had changed throughout the amendment process to include more analysis of impacts. Rogernoted that a member of the Advisory Committee member will be added to the internal Working Group for the HPP and who will be a liaison to the full Advisory Committee.

Jenny wanted to acknowledge that the RFP drafting process has gotten out of hand and been dragged out and that many of the issues raised in the drafting process can be addressed during the actual planning phase and that this process has left us behind schedule in issuing the RFP and selecting a consultant.

Jonathan noted that the increased support for affordable housing has produced a reaction from forces that don't want to see change. He stated that he felt the proposed changes were designed to stop the planning process for the production of more affordable housing. He reiterated that the HPP is in compliance with WA #34 and that the intent of WA #34 is to produce an HPP.

Members agreed that once a consultant is selected, a press release about why the HPP is important and a resetting of communications about this process should take place.

- Inclusionary Zoning – Virginia reported that three new projects with cash payments under review. All were now included because of the recent changes to the IZ by-law that reduced the minimum number of units from 6 to 4 that triggers an affordable housing obligation.
- Kent-Station Street Negotiating Committee has had a few meetings and is getting ready to meet with the selected developer
- BHA Colonel Floyd – Town comments for the PEL were sent to DHCD
- Affordable Homebuyer Unit Re-sales – 3 units are in process

The meeting was adjourned at 7:10PM