

Town of Brookline Advisory Committee

Personnel Subcommittee Report

Report on Warrant Articles 38 and 39

The Personnel Subcommittee held a hearing on April 19, 2021 to review Warrant Articles 38 and 39. In attendance were Christine Westphal, Susan Park, Harry Bohrs, and Harry Friedman for the subcommittee; Others in attendance were the following: Deborah Brown; Susan Granoff; Alison Steinfeld, Planning Director; and John VanScoyoc.

Summary

Warrant Articles 38 and 39 are resolutions that ask the Select Board with the assistance of the Housing Advisory Board, to appoint within 60 days. a committee to explore ways to build family affordable housing on the Town-owned property on Fisher Hill (Article 38) and the Babcock Street parking lot (Article 39). The Articles ask that the committees use the "...committee process and Request for Information tool as recently used for the Kent/Station Street Affordable Housing Initiative" and gives the respective committees 180 days to complete their feasibility study.

Recommendation

The subcommittee makes no recommendation on these articles. The vote for a recommendation of favorable action was one in favor, one opposed, and two abstentions.

Discussion

Both of these Articles ask the Town to study the feasibility of building affordable housing on a parcel of Town owned property. The Petitioners, who were represented by Deborah Brown, note that there is an affordable housing crisis in Greater Boston, which results in housing insecurity for a substantial segment of the population, and disproportionately affects minority communities. They argue that Brookline needs to respond to that crisis by expediting the construction of affordable housing in Town. The Town of Brookline's 2016 Housing Production Plan calls for the Town to use Municipality owned parcels to create affordable housing, but to date, the Town has only looked at the Kent/Station Street site for affordable housing. The petitioner also noted that affordable housing is most often situated on the edges of communities and that the Fischer Hill and Babcock Street sites were chosen because they are both central to the Town. By moving affordable housing into more central locations, we can send the message that Brookline values all of its residents equally.

Susan Granoff appeared at the meeting to suggest that the feasibility studies look at both family affordable housing and affordable housing for those 55 and older. She also asked that the articles be amended to include a representative from the Council on Aging to the study committees. The revised language is a separate document that should be included in the reading for tonight. Although the subcommittee did not have the exact language at the time of their vote they were aware of the proposed changes when the vote was taken.

Members of the Subcommittee all acknowledged that there is a pressing need for affordable housing and the production is slow moving. There was an acknowledgement that situating affordable housing in Coolidge Corner would be desirable, both because it is a great location and because locating affordable housing in a central location would send the message that we value all of our residents. Some members of the subcommittee felt that these articles were problematic because they were too prescriptive; they limited possible use of the properties to affordable housing when other uses might benefit the Town more. Specifically, when the Fisher Hill site was purchased the Select Board promised Town meeting that an extensive study, with substantial community engagement would be used to determine the uses of the Fischer Hill property, and Article 38 would short circuit that process. There might also be other uses for the Babcock Street parking lot, such as a re-location of the Babcock Street fire house, that should be considered.

Alison Steinfeld, the Planning Director submitted a memo in opposition to the articles that was prepared for the Select Board. She expressed reservations about both articles. Her concern with article 38 is that the Town has made a commitment to undertake an extensive study involving robust public participation in order to identify and examine a wide range of uses for the site--including but not limited to affordable housing. Her concern with Article 39 is that the Planning Department is working hard to address complex issues associated with the Kent Street parking lot-senior housing project, which was undertaken to create housing and to serve as a prototype for future projects. Until we resolve those issues, we should not undertake another similar project.

Another member of the subcommittee questioned the use of the Kent/Station Street framework for the studies because that process has not been completed. The Kent/Station Street study was going to be used to determine the feasibility of building affordable housing on a parking lot, while preserving the public parking. While the process has not been completed, at this time the feasibility of building affordable housing and preserving the public parking is questionable because preserving the public parking seems to make the cost of construction too expensive. Alison Steinfeld agreed to provide the AC with a description of the Towns efforts to build affordable housing and I am attaching that information below.

TOWN OF BROOKLINE

ACTIONS TO SUPPORT AFFORDABLE HOUSING

Summary

March 29, 2021

In response to a genuine commitment to maintain and expand the supply and diversity of affordable housing, the Town of Brookline has taken and continues to take aggressive action to provide more housing opportunities for low- and moderate-income people. That action has been successful, resulting in an (unofficial) Subsidized Housing Inventory (SHI) of 9.90%. The Town was, in fact, temporarily above the 10% threshold but fell below because abutter appeals suspended issuance of building permits to two permitted projects, thereby removing approved units from the SHI.

Notable accomplishments during the past seven years include:

Comprehensive Permits

- The Zoning Board of Appeals (ZBA) has permitted a dozen affordable housing projects, providing 796 SHI-eligible units in over 800,000 square feet of development. An additional 485 units are pending before the ZBA.
- None of the ZBA's 40B decisions has involved *pro forma* review or been appealed to the Housing Advisory Committee, a testament to the ZBA's willingness to work with 40B developers in order to create housing.
- The Town continues to work with developers interested in pursuing applications to state subsidizing agencies for authorization to proceed to the Comprehensive Permit process. It is important to note that this commitment is evidenced by the fact that a Comprehensive Permit application submitted during the time that the Town's SHI exceeded 10% was not denied despite the fact that the option was available to the ZBA; rather, the case is proceeding through the public hearing process.

Zoning Amendments

- Accessory Dwelling Units. In 2019, Town Meeting voted to legalize Accessory Dwelling Units (ADUs) in single family districts in order to increase the diversity of housing choices in town.
- Inclusionary Zoning amendments. Based on an extensive financial review of the Town's Inclusionary Zoning By-law, the Housing Advisory Board with support from the Planning Department has developed a series of Zoning By-law amendments that have been submitted to and approved by Town Meeting to ensure that the Town will continue to accrue maximum affordable housing benefits in new residential developments given Brookline's extremely strong real estate market.

Support for Affordable Housing Development by Local Nonprofits and Mission-based developers.

- The Town successfully negotiated a \$6.5 million contribution to Brookline's Housing Trust from a private developer in fulfillment of its municipally imposed affordable housing obligation for a proposed market-rate assisted living complex. These funds are targeted to support the redevelopment and expansion of the Brookline Housing Authority's Colonel Floyd Apartments for low-income senior and disabled households. Nearly 80 new units will be added over two phases within the next several years.
- The Town invested \$3 million in Town-controlled resources to support a 2Life Communities project at 370 Harvard Street—a 62-unit affordable housing complex for seniors. The Town also accelerated the Comprehensive Permit process to dovetail with the applicant's financing timeline.
- \$4.3 million in Town-controlled resources were committed to the new construction of a 32-unit affordable housing development by the BHA at 86 Dummer Street. Funds were also used to reconstruct the on-site playground primarily used by BHA tenants.
- The Town provided \$1.9 million in Town funds to Pine Street Inn for a two-building lodging house on Beals Street in Coolidge Corner. This redevelopment project contains 31 units of enhanced Single Room Occupancy (SRO) housing with private kitchens and baths for formerly homeless individuals.
- For the past several years the Town has supported the Brookline Housing Authority to help modernize, preserve, and upgrade its six federal affordable housing developments to take advantage of HUD's Rental Assistance Demonstration Program. The first project at 61 Park Street received a waiver of building permit fees and the second project received \$1.3 million in Town funds along with a building permit fee waiver. Both projects will continue to provide housing for households earning less than 30% of area median income and are geared for low-income seniors.

Town-led Projects and Initiatives

- Kent/Station Street. The Planning Department is currently engaged in a planning process to redevelop a Town-owned parking lot to provide 60+ new units of affordable senior housing. This public-private partnership will serve as a prototype for future projects.
- Inclusionary Zoning. Since 2017, the Town has approved eight Inclusionary Zoning projects that will provide 16 affordable on-site units and more than \$5 million in contributions to the Housing Trust over the next several years. Since 2013, the Town has contributed over \$3.7 million from Free Cash and the sale of a foreclosed property to the Housing Trust to support affordable housing preservation and development.
- Multi-Family Housing Study. The Planning Department is conducting a Multi-Family Housing Study in order to understand and then address how our Zoning By-laws' dimensional controls interact to promote, guide or undermine the development of multi-family housing. The results of this study will serve as a foundation for further analysis and the identification of mechanisms to effect improvements to the by-laws.
- Local Preference. In 2020, the Town updated its local preference policy from 70% to 25% maximum local preference in order to encourage a more racially diverse applicant pool for newly created affordable units in Town.

Preservation of Affordable Units

- Expiring Use Projects. Over the past seven years, the Town has negotiated with developers of five expiring use projects extending the affordability periods for these properties containing 725 units.
- Capital for Preservation Projects. Housing staff manage CDBG funding to support modernization and capital repair projects for a number of non-profit housing partners including the Brookline Housing Authority, the Brookline Improvement Coalition, and Pine Street Inn.
- Homeownership Resales. As permanently affordable homeownership units come up for resale, housing staff affirmatively market and hold a lottery for each unit in order to select eligible low- and moderate-income buyers.

All of these projects involved an extensive commitment of Planning Department staff time, with support from other municipal departments. Obviously, the Select Board and Housing Advisory Board have been instrumental in providing direction and support. The extraordinary contributions of the Zoning Board of Appeals, which is continuing, have been critical. As a result, we anticipate that the Town will reach the 10% threshold this year.

Although the Town is justifiably proud of its accomplishments, we know that we need to do more—regardless of Brookline’s status on the SHI. We anticipate that the ZBA will continue to hear 40B cases rather than avail itself of the option to deny a project. Further, the Planning Department, in conjunction with the Housing Advisory Board, is undertaking an update and expansion of our Housing Production Plan (HPP), for which state approval will expire this summer. The new HPP, the scope of which requires detailed implementation mechanisms, will guide future actions to meet the Town’s commitment to affordable housing.

Brookline Department of Planning and Community Development
March 29, 2021