

ARTICLE 13-15

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT  
UPDATE ON 40Bs/SHI STATUS**



*Town of Brookline*  
*Massachusetts*

**Department of Planning and  
Community Development**

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**Alison C. Steinfeld**  
Director

**TO:** Judith Leichtner  
**FROM:** Alison Steinfeld  
**SUBJ:** 40Bs/SHI Status  
**DATE:** May 23, 2019

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I am responding to your questions set forth in your May 21<sup>st</sup> e-mail relative to the Town's status on the Subsidized Housing Inventory (SHI). Thank you for your effort to synthesize and simplify your questions. Unfortunately, there are a lot of variables involved and it is very difficult to provide reasonable estimates.

Let me preface my response by stating that I anticipate that the Town's SHI will fluctuate significantly over the next few years. The most critical factor in this volatility is the fact that a project's units that are certified on the SHI upon issuance of the Comprehensive Permit subsequently fall back off the SHI if a building permit is not issued within one year of the Comprehensive Permit. These units then do not go back on the SHI until they receive a building permit. Further, if a project with a building permit does not receive a certificate of occupancy within 18 months of receiving its building permit, the units are again dropped off of the SHI until such time as those units, receive their occupancy permit.

**Therefore, units are never permanently on the SHI until an occupancy permit is issued.**

Responding to your specific questions:

**1) When is the census actually conducted (as of what date in 2020)?**

For purposes of these questions, we'll refer to a snapshot in time as being the official "Census Day," April 1, 2020. However, the 2020 census has officially already begun; see more information about the [Census Bureau's timeline](#). For example, a complete address list is updated in 2019, the public is asked to respond prior to April 1<sup>st</sup>, and census takers visit households that haven't responded after April 1<sup>st</sup>. Additionally, data isn't scheduled to be released at the state level until March 2021. During the 2010 census, housing count community-level data was not released until the summer and fall of 2011.

**2) What projects, Chapter 40A, Chapter 40B or otherwise, do you expect to be complete as of that date? (I'm assuming you are asking about projects completed subsequent to the 2010 census.)**

Projects completed and occupied:

Olmsted Hill (24 units – all affordable)  
45 Marion Street (64 units – Chapter 40B)  
321 Hammond Pond Parkway (27 units—inclusionary zoning)  
86 Dummer Street (32 units—BHA—100% affordable)

Projects under construction as of May 21, 2019:

420 Harvard Street (25 units - Chapter 40B)  
455 Harvard Street (17 units - Chapter 40B)  
21 Crowninshield Road (8 units - Chapter 40B )

Soon to begin construction

370 Harvard Street - JCHE/2Life (62 units - Chapter 40B)

Plus: A small number of single, two and three unit buildings net of demolitions.

**3. What, in your understanding, is the number of year round units today (May 2019) corresponding to the 26,201 units counted in the census?**

"Year-round units" are only calculated every ten years by the U.S. Census consistent with its methodology. Our Housing Planner, Virginia Bullock, has determined that, according to the U.S. Census Building Permit Survey, 258 units were permitted in Brookline from 2010 through 2017. During 2018 through May 1, 2019, permits for an additional 72 units were issued for a total of 330 permitted housing units since 2010. Some of these 330 permitted units have not yet received their Certificates of Occupancy. This total figure, furthermore, should be reduced by the number of units removed (demolished), which our Preservation Planners estimate to be approximately 10 units/year, or a total of about 90 units removed since 2010. Based on the foregoing, we estimate 240 +/- net new units (258 + 72 - 90) have been added to the total year-round housing stock following issuance of the 2010 census, for a projected total of 26,441 units as of May 1, 2019.

**4. Based on current or planned construction activity, what is your projection of the total number of units that will be counted in the census on the census date?**

The above data suggests an average annual increase of about 27 units per year. Based on an estimated 26,441 units as of May 1, 2019 and assuming the timely completion of 62 units at JCHE/2Life and that an average of 27 net units per year are added to the Town’s inventory, then I would estimate a total of about 26,530 units at the 2020 Census cutoff date (26,441 + 27 + 62).

Alternatively, the Assessor’s Office estimated that as of on January 1, 2016 the Town has 26,840 housing units. Starting with that data point and adding 116 units from the Planning Department’s tracking of multifamily units, plus the JCHE project, then we would have 26,840 + 116 + 62 = 27,018 units for the 2020 federal census.

Using these two data points, we anticipate that the Town’s total number of housing units to be counted under the 2020 census will fall within a range of 26,500 and 27,000. It is important to understand the U.S. Census establishes the number of year-round units, which is not necessarily consistent with a municipality’s data.

**5. Do we expect the 230 units associated with the Puddingstone development to fall off the list prior to the census date?**

The 230 Puddingstone units will fall off of the SHI on October 28, 2019 (one year from the date of filing its Comprehensive Permit decision) based on my understanding that Chestnut Hill Realty does not expect to seek a building permit by that date. Those 230 units could, however, be added back onto the SHI prior to the 2020 census if a building permit is issued. (Note: there is no correlation between census data and the SHI other than the fact that the census establishes the denominator. The census only counts housing units that are actually built—a project’s presence on the SHI is irrelevant.)

**6. What is your expectation for the total number of units that will count toward the subsidized housing inventory on the census date?**

Current number (as of 5/21/19)	2,587
Less:	
Puddingstone	(230)

Plus <u>potentially</u> :	
JCHE/2Life	62
Residences of South Brookline	175
Puddingstone	230
40 Centre Street	40
1180 Boylston Street	45
Babcock Place	45
1299 Beacon Street	<u>80</u>
	677

**3,034**

7. **What do you estimate the percent subsidized on the census date will be?** (I assume by “percent subsidized” you mean the SHI index, since not all units on the SHI are subsidized, and some units that are subsidized are not on the SHI.)

If all of the above 677 units identified above were to be added to the SHI for a total of 3,034 certified units, then the Town’s SHI would be approximately 11.2% to 11.4% (using a range of 26,500 to 27,000 for the denominator following the 2020 Census.

8. **Finally, just staying within the next decade before the total [number of] year round units resets again in 2030, what planned projects have to complete as planned in order for us to get “permanently” over the 10% threshold?**

Total projected 2020 housing stock of 26,500-27,000  
 units x 10% = **2,650 to 2,700 needed SHI units**

Units that we can be reasonably sure will be SHI-certified as permanent plus units that will be on the SHI and are under active construction)<sup>1</sup> 2,312

Estimated number of units needed to achieve 10% based on estimated 2020 Federal Census housing inventory **338 to 438**

Therefore, any combination of the following projects, listed in order of the Planning Department’s estimate judgment of which developments have the highest likelihood to move forward the fastest towards Certificates of Occupancy, that total or exceed 338 to 438 will likely allow the Town to reach 10%:

JCHE/2Life	62
445 Harvard	25
Residences of South Brookline*	177
Babcock Place	45
Puddingstone*	230
1180 Boylston	45
1299 Beacon	74
Hampton Court*	123

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<sup>1</sup> number of units on SHI as of 5/21/19	2,587
Less units not currently under construction but are on SHI	
Puddingstone	230
Babcock Place	<u>45</u>
	275
	<u>( 275)</u>
	2,312

Waldo-Durgin Mixed Use*	11	OR	The Coolidge*	299
40 Centre Street**	40			
500 Harvard Street***	30			
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Total	862-1150			

\* Chestnut Hill Realty projects. Note that both Hampton Court & The Coolidge are currently pending but on hold before the Zoning Board of Appeals. \*\* Assumes the developer prevails in Court and proceeds to apply for a Building Permit

\*\*\* This project is eligible to apply for a Comprehensive Permit; we anticipate the proponent will not apply until the Town is no longer in a temporary safe harbor.

Finally, to reiterate, the only thing that I can say confidently is that the Town’s SHI will fluctuate over the next few years, hovering around 10%. It is exceedingly difficult to project if and when projects will ultimately secure Occupancy Permits and how many units each project will ultimately contribute toward the SHI. Of less import is the fact that the Federal Government uses its own methodology to establish a total year round housing unit count, which probably will not coincide with the Town’s own numbers.

The Planning Department will continue to closely monitor the Town’s SHI status.

ARTICLE 26

**COMMISSION FOR DIVERSITY, INCLUSION, & COMMUNITY RELATIONS  
RECOMMENDATION**

The Commission for Diversity, Inclusion & Community Relations (CDICR) unanimously endorses Warrant Article 26: “*Engage a third-party consultant to undertake a review with respect to Equity Goals*”.

Having become a member of the Government Alliance on Race and Equity (GARE) in May 2017 the Town make a commitment to work to make improvements to reduce disparities based on race. This is a laudable objective but without an assessment and baseline measurements there is no way to determine whether and when we are making progress. We would expect that the Town will engage a consultant trained in the GARE process who will present a thorough assessment and assist the Town government in setting goals that will lead to increased opportunities and incentives for racial minorities in Brookline.

ARTICLE 26

**MOTION OFFERED BY ARTHUR WELLINGTON CONQUEST III, TMM6**

VOTED to amend the main motion under Article 26 by adding the following at the end of the last paragraph thereof: “; provided, however, that prior to engaging such a third-party consultant, the efficacy and advisability of such an undertaking shall be considered by a moderator’s committee which shall (a) undertake a comprehensive evaluation of the efficacy of similar projects that have been undertaken by the Town in the past, including, but not limited to, the Report of the Committee on Urban Responsibilities (1969), the Report of Selectmen’s Subcommittee on Police and Community Relations (1987), the Annual Report on Workforce Diversity and Inclusion (2011, 2012, 2013), (b) determine whether the engagement of a consultant in accordance with this vote is advisable, appropriate, useful and in the best interests of the Town, and (c) report its findings and determinations, which may but need not include its recommendation concerning an appropriate consultant, to Town Meeting no later than the date of the 2020 Annual Town Meeting. In the absence of an affirmative report from such committee, to the effect that the engagements of a consultant as provided in this vote is advisable, appropriate, useful and in the best interests of the Town, no further action shall be taken pursuant to this vote.”

**Explanation**

Brookline has been orbiting in slow motion the issue of Race, Equity, Diversity, Inclusion, Human and Community Relations, and Social Justice since I moved to the community in the fall of 1982. My very first day in Brookline I was invited to attend a Black Achievement Committee meeting at Brookline High School. Fast forward to 2010, Town Meeting passed Resolution #17 which included the following statement: “Acknowledging that Dr. King’s message and dream are still alive today, the Town should offer a report on the diversity progress of its different departments.” The Resolution stated further: “Town Meeting urges the Board of Selectmen to ... Establish an Annual Progress Report on Diversity that will be presented each year during the celebration ceremonies.” What exactly has the Town’s commitment been regarding its follow through on this resolution as it pertains to combating racism? Many would assert that it’s been lackadaisical and sloppy at best!

In October 2010 the Town of Brookline joined the Commonwealth Compact, a collaboration of institutions of higher learning, as well as for profit and not for profit organizations. “The Compact’s goal is to make the State of Massachusetts a location of choice for people of Color and women in the belief that their contributions are vital to the region’s social and economic future.” So how has the Town of Brookline benefited from its membership with this Compact? What are the specifics in terms of numbers of increases of Blacks, Latinxs, Asians and People of Color in the Town’s workforce? What are the funds required for membership in the Compact?

In 2015, Town Meeting passed Warrant Article #18 filed by Ruthann Sneider, (the late) Merelice, and myself – I was the invisible participant -- by a vote of 155 in favor, 3 opposed and 6 abstentions that said the following: “Despite the Town’s efforts, the racial makeup of the Town’s workforce, particularly employees who are Black, Hispanic-Latino/a, Asian, American Indian, and other people of color, does not reflect the racial make-up and availability of workers in the metropolitan Boston region, comprised of the Counties of Norfolk, Suffolk, and Middlesex (‘Metro Boston.’), from which the Brookline workforce is drawn.”

In 2017, Town Meeting passed almost unanimously – with an objection of one member, yours truly -- Resolution #22, which allocated “\$10,000” to the Government Alliance on Race and Equality Community Group (GARE). What has GARE accomplished since 2017 in Brookline to implement its program(s)?

But during that same Town Meeting I posed the following question about Warrant Article #18, which was passed in 2015: “Last Spring, Ruthann Sneider, Merelice and myself...filed a Resolution at Town Meeting which passed overwhelmingly that supposedly would increase the number of Black, Latinx and People of Color in the Town’s workforce. How may I ask has that initiative progress?” The School Committee had not since Warrant Article #18 was passed by Town Meeting in 2015 taken any steps towards voting on the measure. But also, what steps had the Diversity and Inclusion Committee taken? Zero!

More recently, 2019 a course has been offered through the Brookline Adult and Community Education Program entitled “White People Challenging Racism, Moving from Talk to Action”. This course has been taught by White people only. What exactly do White people know about “Racism,” what they’ve read in books or newspapers, seen in movies, on TV screens – e.g. Mississippi Burning or In The Heat of the Night? And if they’re unable to experience “Racism” then how can they “Move from talk to Action”? What’s really at play in the Town of Brookline is White people controlling the overall discussion, direction, and their interpretation of the solutions to the problem of racism from a White perspective, which often is opaque and deluded!

For half a century now the Town of Brookline has been stuck in climate of institutional racism, white supremacy, and its brand of apartheid lite. The Town, however, is running out of options. Warrant Articles #26 will take the Town of Brookline absolutely nowhere. We are set to shovel the funds being requested into a furnace during the month of February, which would possibly make far better use of those funds. Quite frankly, there needs to be a whole restructuring of goals and objectives as they relate to institutions in Brookline that must be examined and rectified.

The Moderator’s Committee being proposed will be charged with uncovering exactly why Brookline is still mired in the disease of Institutional Racism, and why it hasn’t been unable to extricate itself from it, and where its energy and finances to achieve meaningful and lasting outcomes should be directed. In short, there needs to be a town-wide master plan



that would include representation of thoughts and input from the left, right, radical, conservative, and center political forces.

Finally, only a fool would claim that there hasn't been some racial progress in Brookline: A Black man is chair of the Select Board; the Town just elected its first Latinx to the Select Board; there are two Blacks who presently head departments in Town Government; there are three Black females serving as assistant superintendents in the Public Schools of Brookline, to name just three of the significant advances that have come about over the past couple of years. But pay a visit to the School Department's central administration offices on the 5<sup>th</sup> floor at Town Hall and there isn't a single Black male to be found. The same is true for the central administration at Brookline High School. How many of the outside vendors or contractors the Town does business with are Black, Latinx and or People of Color? And how many Black, Latinx, Asian, or people of color journeyman will be working on the renovation of Brookline High School this summer coming? We need to cease being whimsical, neo-liberal, and in some cases outright disingenuous. There's still room for Dr. Martin Luther King's Dream to be fulfilled here in Brookline.