



Town of Brookline

Massachusetts

**Department of Planning and
Community Development**

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Alison C. Steinfeld
Director

To: Jesse Geller, Chair of the Zoning Board of Appeals
Zoning Board of Appeals
From: Alison Steinfeld, Planning Director
Date: March 29, 2021
SUBJ: Town's Progress in Creating and Supporting Affordable Housing

As the Zoning Board of Appeals approaches issuing a decision on its thirteenth Comprehensive Permit in the past eight years, I would like to take this opportunity to share with the entire Board a summary of the extraordinary progress the Town has made in creating and supporting affordable housing. The ZBA has played a critical role in this success by permitting in excess of 800,000 square feet of housing development, representing 796 SHI-eligible units.

Obviously, we are not done yet in responding to the need for affordable housing in Brookline and the region, but I would like to thank you on behalf of the Town and the Planning Department specifically for your commitment to creating new housing in Brookline that helps meet a compelling need while incorporating quality design that seeks to integrate the development into the existing neighborhoods for the benefit of both current residents and residents of the new housing. As the attached Summary—or for that matter, a drive through town—attests, your tireless work has generated results.

Please place the attached Summary on the record for the 500 Harvard Street Comprehensive Permit case as well as all cases currently pending before the ZBA.

Thank you.

Attachment

TOWN OF BROOKLINE
ACTIONS TO SUPPORT AFFORDABLE HOUSING
Summary
March 30, 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.
- The State has recognized the Town's Site Plan and Design Review framework as a successful model for fostering good design on 40B projects. In fact, MassHousing invited the Town to present its design review toolkit¹, specially prepared for communities, at CHAPA's² annual 40B conference in January 2021, attended by over 350 municipal officials, planners, and housing and real estate professionals. Feedback from across the State confirmed the critical need for a design-review resource for public hearings.

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

¹ <https://www.chapa.org/sites/default/files/Fostering%20Good%20Design.pdf>

² Citizens' Housing and Planning Association: chapa.org

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-law's 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-law.
- 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.

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.