

## Harvard MBTA Multifamily Guidelines Discussion @ Select Board – March 15, 2022

### Executive Summary:

- New Section 3A added to Chapter 40 of the General Laws (Zoning Act)
  - Requires local zoning legislation for multi-family housing permitted by right
- Guidelines for Compliance provided by DHCD (in draft form)
  - Department of Housing and Community Development (DHCD)
  - <https://www.mass.gov/doc/draft-guidelines-for-mbta-communities/download>
- Guidelines apply to Harvard as an MBTA adjacent community
  - 50 acre multifamily district at 15 units/acre density (750 units)
  - See guidelines for further details
- Non-compliance results in loss of eligibility for specific State Grant Funding
- Key Deadlines:
  - March 31, 2022 – Deadline for written comments on Guidelines
  - May 2, 2022 – Community Briefing on Draft Compliance
  - May 2, 2022 – Community Information form submitted
  - July 1, 2023 – Obtain DHCD approval of community action plan
  - December 31, 2024 – Enact zoning legislation
- **Tonight: Review letter content and finalize Select Board input**

### Update on March 1, 2022 Feedback on Affordable Housing Component

- Select Board members identified no mention of affordable housing in response
- Original legislation omitted affordable housing, therefore guidelines do not address it

The original law—and DHCD's guidelines—include no expectation that communities provide any "affordable" units for lower-income families.

Taking a market rate housing production approach, this law is focused on improving affordability for people renting or buying homes on the open market. But we know that those who are struggling most in our region will not be able to afford most market rate housing, even if we are able to halt the cost increases we've seen in recent years. Therefore, there's no question that the legislature should do more to ensure that lower-income families can afford safe, stable housing in every community in Greater Boston—through mechanisms like increased funding for rental vouchers and nonprofit affordable housing developers. The framework of the original law likely does not allow for DHCD to add a low-income affordability requirement through the guidelines-writing process, but the DHCD has made clear that communities can add affordability requirements to their new zones, as long as they are "financially feasible and do not unduly impede the construction of new multi-family housing in the district." Communities could also create these districts through the 40R process, which includes financial incentives for including affordable units.

It's worth emphasizing that there's a synergy between efforts focused on housing production and those focused on providing income-restricted housing for lower-income families. Anything we do to reduce market rate housing costs ensures that a given amount of money used to help subsidize the cost of housing for lower-income families can ultimately support a greater number of them. And even just building more high-end rental housing reduces competition for existing rental housing.

Relatedly, anything that allows for more multi-family housing construction as-of-right will help make affordable housing developers more competitive in these new zones. Along with the housing choice voting change, the conditions would likely be more favorable for affordable housing production in many suburban municipalities.

Source: <https://www.bostonindicators.org/>

- Harvard can define its own solution
  - Can and should include affordable housing component
  - Planning Board will consider affordable housing in its proposed plan
  - Can leverage State programs to support housing growth (ex: 40R & 40S)

Effect of Non-Compliance (Section 11)

- Ineligible for State Grant Programs including:
  - Housing Choice Initiative
  - Local Capital Projects Fund
  - Massworks Infrastructure program
- Includes an additional “catch-all” statement
  - Compliance may be taken into consideration for discretionary grant awards
- Funding Status
  - In 2020, Harvard Received \$1M for improvements to Slough Road (Massworks)
  - Upcoming Massworks submission for milling and paving of Stow Road
  - Housing Choice grants (if eligible) can provide up to \$250k

School-Age Children Predictions

- Multi-family supports a different age demographic than typical single family dwellings
- Source: [The Costs and Hidden Benefits of New Housing Development in Massachusetts](#) (2016)
- Overall, school age children are significantly reduced in multifamily housing
- Example for 1-, 2-, 3-bedroom units

	<b>Grades K-5</b>	<b>Grades 6-12</b>
Students per Household	0-0.21	0.01-0.33

Formal Written Letter Response Strategy

- Seeks to influence changes in guidelines provided by DHCD by:
  - Addressing audience using both a planning and legal framework
  - Arguing for “reasonableness” in requirements for implementation
  - Emphasizing commonalities with other MBTA communities
  - De-emphasizing Harvard-specific features or challenges
- Seeks input across town boards (Select Board, Land Use Boards, School Committee etc.)
- Updated letter provided from March 1 Select Board discussion
  - Changes of significance **highlighted**
  - Awaiting board review for compliance with overall message and strategy