



To: Zoning Board of Appeals

From: James Brand, Chair – Medfield Affordable Housing Trust

Date: November 15, 2019

Re: Rosebay at Medfield – ZBA 40B Application Review

The Medfield Affordable Housing Trust Board of Trustees (MAHT) at its posted November 07, 2019 meeting discussed its position concerning the “Rosebay at Medfield” project, the proposed senior affordable housing rental development on Pound street adjacent to the current Tilden Village.

The MAHT’s charter is to promote the development of affordable housing in a responsible way to achieve annual safe harbor under Medfield’s Housing Production Plan, and achieve compliance with M.G.L Chapter 40B. Once Medfield achieves the state-mandated 10% affordable units, the Town will be able to enforce its zoning laws.

The MAHT **voted to support the Rosebay project**. As part of those deliberations, the Trust board recognized that the applicant has chosen the traditional 40B process, leaving town regulatory approval solely to the ZBA and has not followed the Local Initiative Program (“LIP”) in which the Trust would be directly involved. Nevertheless, the Board believes that the Rosebay project is consistent with the HPP’s goals and is likely to be the best project to achieve compliance with the state’s 10% requirement.

Considering such, the Trust has focused its comments on three areas consistent with its charter:

- The status of the Town’s efforts to achieve compliance with Chapter 40B.
- The merits of the project in light of Medfield’s affordable housing needs and in comparison with other potential projects that would be necessary to achieve 10%
- The risks of not approving the Rosebay project relative to the town’s ability to maintain safe harbor

Safe Harbor Status

As background, the MAHT was created through a near-unanimous vote of Annual Town Meeting (ATM) in 2017 to implement the Town’s Housing Production Plan (HPP), keep the town in annual “safe harbor” from unfriendly 40B development, **and to reach 10% “perpetual” safe harbor where 10% of its total housing qualifies to be counted in the affordable housing inventory** (also known as the subsidized housing inventory or “SHI”).

This ATM vote creating the Trust and its charge came shortly after a substantial unfriendly 40B development proposal for 200 units on Dale Street that raised awareness of the risk the Town was in by being out of safe harbor.

Since formation, the Affordable Housing Trust has worked successfully with developers who bring projects forward to maintain safe harbor protection by annually certifying 21 units. Based on the expected total number of units that will be counted in 2020 census (approximately 4510), the town will need 451 SHI units to achieve 10% through 2030. Since the MAHT was formed the town has advanced from **6.3% (283 units) to 7.9% (355 units)**. The Town, through the Board of Selectmen and the MAHT endorsed a LIP development for 56 additional apartments on the American Legion property at the corner of West Street and 27. That development, now called Aura at Medfield, has been approved by the Department of Housing & Community Development (DHCD) and is at its final stage of regulatory review with the ZBA. Under the Town's MOU with Aura, it should be approved by May 2020 and if approved will bring the town to 9.1% (411 units). The Town will also be able to achieve two years of safe harbor, through May 2022, based on the Aura project.

Once the Aura units have been added to the SHI, and assuming it has received a building permit by May 2022, **the town will only need 40 units to achieve the state mandated 10%** credited affordable housing units and will have met its requirements to maintain perpetual safe harbor through at least 2030.

At 45 units, **Rosebay will enable the town to move above 10%, be in compliance with Massachusetts General Law Chapter 40B and be protected from unfriendly 40B development going forward** so long as it has received a building permit by May 2022. This protection is critically important for the town and is the underlying mandate of the Medfield Affordable Housing Trust established by the citizens of Medfield. Once these important milestones are met, the Town's inclusionary housing bylaw should ensure that the Town remains in compliance with Chapter 40B and protected from unwanted development indefinitely. This bylaw, adopted in 2017, requires a percentage of new multifamily units to be reserved as affordable housing, ranging from 15% to 25% of a proposed project, depending on total unit count.

Rosebay's Role In Addressing Affordable Housing Needs in Medfield

This was an important consideration for the MAHT board. As part of its charter, the MAHT is charged with implementing the town's Housing Production Plan that was approved at a joint meeting by the Board of Selectmen and Planning Board on October 17, 2016, and approved by the Department of Housing and Community Development on November 28, 2016.

The Housing Production Plan prescribes a town desire to have a mix of units serving various needs in Medfield. Senior Affordable Housing was forefront in the HPP and as characterized by the Medfield Housing Authority as the viable range for development at 40-60 units, was included in the Town's HPP. Given that, the MAHT has been supportive of the Medfield Housing Authority's efforts and contributed funds towards legal fees establishing an agreement with their chosen development partner.

Addressing the true needs of providing a full range of affordable housing, unlike other apartment developments where 25% of the units are held as affordable at 80% of the area median income and the rest market rate where the town gets credit for 100% of the units, **this development is 100% affordable serving 30% and 60% of the area median income. The Trust board felt that this was consistent with the Housing Production Plan in providing a diversity of housing types for seniors.** Considering the recent ATM disposition of a portion of the Hinkley lot for ownership senior housing, these projects combined provide an array of housing types for seniors. In addition, the preference for Medfield residents will address the demonstrated need for additional housing for Medfield's seniors.

Risks of Not Approving Rosebay

There are various tradeoffs to assess relative to the risk of not approving Rosebay. With Rosebay all units are affordable, and as apartments the Town is credited for 100% of the 45 units towards its count. **If a competing home ownership development were considered on another site or the Medfield State Hospital 180 houses, townhouses or condominium units would need to be built to achieve the same 45 unit credit.** As single family homes this is larger than the entire Evergreen/Longmeadow neighborhood off of Harding Street adjacent to the Medfield State Hospital. This many houses would have a significantly different impact on town services through school, police, fire department and traffic than the proposed 45 unit senior apartments. The MAHT has tried to avoid these kinds of developments, given the stress they place on town infrastructure. Similarly, if a 45-unit non-age restricted apartment development was built where 25% were affordable, there would likely be more impact on local services such as schools, traffic, etc. **Rosebay being 100% affordable senior housing, there will likely be zero impact on schools and minimal impact on other services because a percentage of the residents will not be working and thus not adding to normal rush hour traffic.**

Risk of a down economy was also considered. Downward economic cycles often limit real estate development in various ways. If Rosebay is not approved and a down economic trend occurred, **the Town would still be required to meet its minimum annual housing production as approved in the Housing Production Plan or fall out of safe harbor.** Without developer interest the town would either fall out of Safe Harbor leaving itself at risk to unfriendly 40B, or would need to invest significant Town capital into incentivizing development. If we are even one unit below the 10%, the town is at risk for an unfriendly 40B development of up to 200 units (like the original Medfield Meadows proposal). At this point, the MAHT has not identified an alternative project to either bring the town to 10% SHI units through 2030, or to extend safe harbor beyond the protections to which we will be entitled by the addition of Aura. It is also highly unlikely that any development will occur at Medfield State Hospital in time to achieve safe harbor or 10%. The Hinkley development will add 6 or 7 SHI units, leaving us 33 or 34 units short under the best-case scenario as of 2022.

The Trust Board evaluated this in the context of THREE alternative development scenarios, two of which require properties with developers that have not presented themselves even considering this current “up” economy for development, **the third being Medfield State Hospital**

Scenario One - An apartment building similar to Aura, Hillside Village, or Medfield Meadows with at least 24 total units. Given the market and developer interest, this almost certainly would have to be somewhere on one of the main roads in town—Main Street (109), North Meadows Road (27), West Street, South Street or North Street. It almost certainly would not be senior housing. This will likely yield higher impact on town services, schools and traffic and only get us one year of safe harbor, requiring additional unknown developments yielding 22 units the following year after to reach safe harbor.

Scenario Two - A single family housing development similar to Chapel Hill Landing on Hospital Road, which will need to be a minimum of 88 houses to meet 1 year of safe harbor. This will certainly yield higher impact on town services, schools and traffic and only get us one year of safe harbor, requiring additional unknown developments yielding 22 units per year after to reach safe harbor.

Most importantly it **would not get us to perpetual safe harbor, would only protect us through 2023,** and would likely require incentivizing similar projects the following year to get us to 10%.

Scenario Three – The Medfield State Hospital Master Plan has identified a range of credited affordable housing possible within the zoning framework. At this time the schedule or the scope of an eventual Medfield State Hospital development or series of phased developments is unknown and poses significant risk in relying on it to contribute to the town’s near-term Subsidized Housing Inventory (SHI). Knowing that the town needs an additional 22 units credited in 2022, the AHT has not considered it in its near-term requirements.

The above summary of the Medfield Affordable Housing Trust Board deliberations led to the following position:

With Rosebay being a project that could bring the Town across the “finish line” of achieving 10% and perpetual Safe Harbor, the MAHT believes that the clear path to achieving these critical goals significantly out-weighs the risks and the downside of the proposed development, especially given the lack of clear alternatives that are both subject to developer interest and impacted by future economic conditions.

The Trust board appreciates the opportunity to comment on the Rosebay project during its time in review at the ZBA. We appreciate the multitude of considerations you as a board need to take into account in reviewing such a project. **As a board we endorse Rosebay at Medfield on the merits of our charge as the Medfield Affordable Housing Trust.** We believe it will help the town achieve its affordable housing goals while having the least negative impact on quality of life and town services.

Respectfully,

James Brand, Chair
Medfield Affordable Housing Trust