

Dudley Area Advisory Committee Final Recommendations Supplementary Information from the Wayland Housing Partnership

**Submitted by Rachel G. Bratt, Member DAAC; Chair WHP
July 15, 2013**

A prior draft of this document was unanimously approved by all members present at the Wayland Housing Partnership's June 10, 2013 meeting. In attendance: Kathy Boundy, Rachel Bratt, Pat Harlan, Fred Moser, Marty Nichols, BettySalzberg. (Although not at the meeting, Mary Antes, the only Housing Partnership member not in attendance, subsequently indicated her support of that statement.)

This document, revised after the final meeting of the Dudley Area Advisory Committee, was sent to all Wayland Housing Partnership members for their input and comments, which are reflected in the following. A majority of members responded; all of these members indicated their strong support for this statement.

Summary

After more than two years, numerous meetings, and the completion of a detailed report from our consultant, Tighe&Bond, the final recommendations offered by the Dudley Area Advisory Committee (DAAC) offer a sound plan for improvements at the site. However, we acknowledge the inherent conflict in some of DAAC's recommendations.

The DAAC's final recommendations call for the land currently under the control of the Board of Selectmen to be transferred to the Recreation Commission, to be used primarily for passive recreation. In addition, it is recommended that the Town undertake a study to evaluate the feasibility of constructing a wastewater treatment facility, to be located some place on the site and that neighbors could, presumably, tie into, incurring their share of the cost. In addition, DAAC's recommendations call for the implementation of passive stormwater treatment improvements, if low cost, to divert stormwater run-off from Doran Road and Pond Drive, thereby reducing water flowing into Dudley Pond. Finally, and very importantly, a majority of DAAC members supported the development of a small number of houses on the site, with at least two of these units being affordable. However, we disagree with the DAAC recommendation that this approach only be pursued if at least three existing units in the area cannot be purchased for affordable housing.

Background Concerning Affordable Housing

DAAC was asked by the Board of Selectmen to develop a plan for the use of about 7 acres of town-owned land between Doran Road and Pond Drive, taking into account a number of environmental factors, particularly pertaining to Dudley Pond, and the need for affordable housing in Town. Indeed, as noted in Appendix I, the parcel has long been considered a potential site for affordable housing. There was even a Town Meeting vote on April 27, 1977 calling for the transfer of the land to the Wayland Housing Authority. This transfer was never completed. As detailed in Appendix II, there is still a need for affordable housing in Wayland and Town documents repeatedly call for additional production.

In addition, each city and town in Massachusetts is directed to have at least 10% of its year-round housing stock dedicated as affordable housing. As of January 7, 2013, the Wayland Town Planner indicated that 5.3% of the year-round housing stock is considered affordable by the state. This includes many units that have been approved but that have not yet been developed. The state's tally (Subsidized Housing Inventory, Massachusetts Department of Housing and Community Development, April 30, 2013, <http://www.mass.gov/hed/docs/dhcd/hd/shi/shiinventory.pdf>) does not reflect these anticipated units and puts Wayland's affordable housing percentage at 3.2%. Either way, Wayland is far from the state-mandated 10% affordable housing goal and, as noted in Appendix III, it lags behind other suburban towns.

A Portion of the Doran Road Site Should Be Used for Housing

Agreeing with the majority vote of DAAC members (5-4), the Wayland Housing Partnership supports the development of four units of housing on the Doran Road site, at least two of which would be affordable. Consistent with this vote, a majority of members voted against the "No housing" option for the site (4-5). We reaffirm our support for both these votes.

The Tighe&Bond consultant report indicated that a small number of housing units would not cause any environmental problems in connection to Dudley Pond and, in fact, improvements could result from a well-designed development; their final report notes the following:

- 1) All the proposed landscape enhancements are compatible with a small housing cluster.
- 2) Stormwater management could be designed so that post housing development runoff could be equal or better to pre-development runoff.
- 3) Wastewater management could also be designed so that the addition of housing units would not increase nutrient loads to the pond.

Neighbors have clearly indicated that they do not want any housing to be built on the site. When pressed for their reasons, they have articulated factors related to congestion around the pond. However, the area that had been proposed for housing, close to Route 27, would not produce additional traffic in the area closest to the pond, where density is highest. Environmental concerns related to how housing would impact the pond have been addressed by the Tighe&Bond report.

In addition, it is possible that in building housing, a developer might be able include a waste-water treatment facility that would be over-size for the new houses being built and thereby offer a number of neighboring residents an opportunity to access a septic system at low cost. It is an idea worth exploring with potential developers.

Other objections by neighbors have related to their perception that it would be better to purchase existing units in the area that could be designated as affordable housing, rather than building new units. This position was presented in recommendation 7.b. As detailed below, as well as in Appendix IV, our view is that ALL viable strategies for producing the needed affordable housing must be pursued and that development of a small number of units on the Doran Road parcel is a viable, desirable strategy, with or without any additional housing initiatives in the area.

Connection between Acquiring Homes in the Area for Affordable Housing and Building New Units On-Site

A majority of DAAC members supported the proposal to attempt to acquire three homes in the Doran Road area for affordable housing, primarily using Community Preservation Funds. Five years is to be given to this effort, before the plan to build four homes on-site would be triggered. The Wayland Housing Partnership views the building of affordable homes on-site to be a higher priority and, therefore, we recommend that this option be pursued without waiting five years and not dependent on whether three existing units are purchased for affordable housing. While we would support further study into the feasibility of purchasing existing homes for conversion to long-term affordable units, as noted previously, we do not feel that this should be an either-or approach. We recommend that both strategies be pursued simultaneously.

We acknowledge that DAAC's majority vote on transferring land currently under the control of the Board of Selectmen to the Recreation Commission conflicts with another DAAC majority vote to build 4 units on the 7-acre parcel. Indeed, the Wayland Housing Partnership representative on the DAAC dissented with the majority on this vote. As stated below, we urge the Board of Selectmen to work out an arrangement with the Recreation Commission so that the parcel can be used for a variety of uses, including the development of a small cluster of housing.

We Oppose Transferring Additional Town Property to the Recreation Commission

A particularly vexing issue for the DAAC, and one that has serious implications for all Town residents, is that the 7 acres of land at issue here, while characterized as “Town property,” do not fall within the jurisdiction of a single body politic or entity responsible for making decisions in the “best interests” of the Town. While this may be well understood by many residents, we suspect that it is not the general perception. Here, the “Town property” at issue encompasses both parcels of land under the control of the Board of Selectmen, as well as parcels controlled by separate boards and commissions, particularly Recreation. Indeed, the Tighe&Bond report carefully distinguishes the ownership of the various parcels at this site as “Town Properties” on the one hand, and “Park and Recreation Properties” on the other. This distinction was made to underscore that, according to Tighe&Bond, one-half of the 32 separate parcels within the overall 7-acre Doran Road site are under the control of the Recreation Commission.

In the context of the assignment to the DAAC by the Selectmen, it is noteworthy that the Recreation Commission’s representative on DAAC has expressly stated his strong opposition to affordable housing, regardless of where it might be located in Town. In addition, recently elected members to the Recreation Commission have similarly voiced their opposition to affordable housing. Because a majority vote by the members of the Recreation Commission is required to transfer land under its control to the Board of Selectmen (or to any other agency, board, or commission) for any purpose other than recreation, we do not feel that providing this Commission with additional Town land is a desirable step. It also would be in conflict with the DAAC’s recommendation to support affordable housing on the 7-acre parcel. We therefore oppose any land transfer to the Recreation Commission until a suitable arrangement can be made to set aside land for affordable housing.

We acknowledge the difficult “checker-board” pattern of the parcels held by the Recreation Commission, on the one hand, and by the Town, on the other. We urge the Board of Selectmen to work out a creative solution with the Recreation Commission so that all of the Town’s various objectives for the 7-acre parcel can be achieved.

Connection of Doran Road Parcel to Proposed River’s Edge Development

About one-half way through the period that the DAAC was meeting, the proposed River’s Edge development began to take form. A number of members of the committee, as well as residents, articulated the view that, with the addition of these units, the Town would be able to achieve the 10% affordable housing goal. The Wayland Housing Partnership supported the River’s Edge development. However, we never felt that this development would mean that no further affordable housing development was needed. It is important to point out that the River’s Edge affordable units were not targeted to families, which is an important articulated need in Wayland (see Appendix III). With the

negative Town Meeting votes in April 2013, the future of River's Edge is uncertain. We cannot pin our affordable housing goals on any one development. The Town must continue to make efforts to create affordable housing units, wherever such opportunities present themselves.

In conclusion, the Town needs to continue to make progress toward achieving its affordable housing goals. In view of the scarcity of available land, every buildable parcel should be considered for affordable housing development. We reaffirm the majority vote in favor of using a portion of the Doran Road parcel for housing. This, along with the other improvements being proposed, will provide a significant amount of "value-added" to the town and enable it to meet a number of objectives -- environmental, recreational, and affordable housing.

APPENDIX I: History of Town Actions Concerning Dudley Area Parcel, 1977-1981

1) April 27, 1977 session of Annual Town Meeting, article 21: Sell Land to Housing Authority

To see if the Town will authorize the Selectmen, with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to the Wayland Housing Authority a vacant parcel of land with trees thereon off Main Street containing 7.32 acres more or less and shown on Plates No. 47A, 47B, 47C and 47D of the Town Atlas as well as on a plan on file with the Town Clerk entitled, "Plan of Land of Wayland, Mass. showing land to be used for housing for elderly persons of low income November 19, 1976 Scale: 1 in.= 40 ft. Wayland Engineering Department" and more fully described as follows: (all the metes and bounds or whatever they are for more than a page and a half)

To specify the minimum amount to be paid therefore, or take any action relative thereto.

Mr. Francis J. Fleming moved and was duly seconded that the Board of Selectmen be authorized, with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to the Wayland Housing Authority for the sum of \$45,000 a vacant parcel of land with trees thereon off Main Street containing 7.32 acres more or less and shown on Plates No. (continue as above to the Wayland Engineering Department) and described as printing in Article 21 of the Warrant, provided, however, that the property shall not be sold or otherwise disposed of to the Wayland Housing Authority until its overall program for the development of the property has been approved by both the Board of Selectmen and the Finance Committee.

VOTED: Unanimously.

2) June 4, 1981 Special Town Meeting, Article 7: Amend Zoning By-laws—Housing for Persons of Low Income on Doran Road

This article was to see if the Town would authorize the use of the Doran road parcel for housing for persons of low income. However, Francis Hartin "moved and was duly seconded that the business under Article 7 be referred to the Wayland Housing Authority and a study committee, appointed to work with the Housing Authority to find a site or sites suitable to accommodate the construction of housing for persons of low income; that the committee be composed of citizens as follows . . ."

The motion was voted unanimously.

APPENDIX II: Wayland Housing Goals and Needs

Goals as Specified in Town Documents

Master Plan Advisory Committee, August 2010

"The Master Plan housing goals focus on providing a variety of housing options to meet the needs of Wayland's different demographic groups...While the Town has taken some steps toward addressing its housing needs...these gains are modest compared to the overall trends toward more expensive, less diverse housing...The most pressing task is to address the housing needs of its seniors and low and moderate-income households."

Housing Production Report, August 2010

p.1 (of full report): "In 2003, the Board of Selectmen identified the development of affordable housing as a top priority for the Town. One element of that goal was the preparation of a housing plan based on the housing component of the Master Plan. On January 4, 2005 the Town completed its first Comprehensive Housing Plan..."

Housing Production Report, August 2010 (excerpts from Executive Summary)

Summary of Housing Objectives and Development Challenges (emphasis in original)

p. 1: "Housing choice" is not a euphemism for low- and moderate-income housing, elderly or "over-55" housing, starter homes, rooming houses or manufactured housing developments. It means variety in housing types, a range of prices and access to ownership and rental opportunities, including special needs housing, so that people have meaningful choices about where they will live and will not be spending too much to do so. Wayland embraced the central principles of housing choice when the Town adopted its Master Plan in 2001, followed by the Comprehensive Housing Plan in 2005 that articulated the following major housing objectives:

- Meet local housing needs along the full range of incomes that promotes diversity and stability of individuals and families.
- Leverage public and private resources to the greatest extent possible.
- Ensure the creation of new housing that is compatible with the existing community and helps promote open space.
- Make steady progress toward the state standard for affordable housing of 10%.
- Produce affordable housing that equals ½ of 1% of the town's housing stock in a given year in order to be housing certified under MGL Chapter 40B 760 CMR56.00. This equals 25 units per year based on the 2010 US Census for year-round housing units in the Town of Wayland (4,957).

Despite significant progress, it will be a great challenge for Wayland to create enough affordable housing to meet the state's 10% affordable housing standard, production goals and local needs, particularly in light of current constraints to new development that include certain zoning regulations, natural resources that limit development (wetlands, floodplains, sensitive

habitats and ecosystems, etc.), limited availability of open space and publicly-owned property, and infrastructure limitations such as the lack of Town sewer service.”

Needs as Specified in Town Documents

Housing Production Report, August 2010 (excerpts from Executive Summary)

Summary of Housing Objectives and Development Challenges

p. 3: “The 2000 census indicates that there were 1,289 individuals living in Wayland who claimed a disability suggesting that some accommodation for individuals with special needs should be integrated into the housing stock through handicapped accessibility and/or supportive services.

- Despite considerable wealth, there remains a highly vulnerable part of the community with limited financial means. For example, 383 or 8.3% of all households had incomes of less than \$25,000 in 2000.
- In 2000, there were 77 families and 322 individuals who were living below the poverty level, which was \$10,850 for an individual and \$18,310 for a three-person household for a family of three in 2009. While there are no updated figures available, given economic circumstances since 2000, it is likely that the financial situations of these residents may not have improved substantially and some may have been forced to relocate.”

...

p. 3: “There is a severe shortage of rental housing in Wayland and neighboring communities, and very few housing units that are accessible to persons with disabilities....

- Wait lists and unit turnover rates for Wayland Housing Authority units suggest waits of at least two (2) years for Bent Park and three (3) to five (5) years for Cochituate Village and scattered family units.”

...

p. 3: “...affordable family housing, housing for senior citizens and ‘empty nesters,’ and small housing units suitable for smaller households, including special needs housing, are the greatest housing needs in Wayland. Such housing must include rental housing targeted to the most financially vulnerable residents in the community.”

...

Additional details from Section 6: Summary of Housing Needs

p. 34: “[There will be a] much greater demand for senior housing, including independent living, assisted living, and nursing homes...the demand for large single-family homes will decrease while the need for smaller starter homes and apartments will grow.”

p.35: Affordable and Subsidized Housing

“The Town needs to provide additional affordable housing so that it can meet the housing needs of young families, including those who grew up in the area or who have a Wayland connection, those who work in Wayland or the MetroWest area, in addition to making progress toward meeting its 10% affordable housing requirement...”

Senior Housing and Special Needs Housing

“To address the needs of [elderly residents], the Town should allow the development of a variety of senior housing opportunities, including more affordable independent and assisted living. In addition, the Town should explore housing in all price ranges for people of all ages with physical and mental disabilities and for persons with debilitating illnesses.”

Town Employee Housing Needs

“The place of residence of all Town employees, including the schools, was also compiled and 75.4% of all Town employees (513 out of 680) reside outside of the Town of Wayland...there is a need for employee housing within the Town and that steps should be taken to construct a broad range of housing so that employees such as teachers and policemen can reside in the Town in which they work.”

Appendix III: Affordable Housing in Wayland

Wayland is not in compliance with the state-mandated 10% goal; many other suburban towns have better records.

Affordable Housing in Wayland and Other Suburban Towns

	2010 Census Year Round Housing Units	Subsidized units	%
Wayland	4,957	161*	3.2%
Concord	6,852	719	10.5%
Dedham	10,115	1,096	10.8%
Lexington	11,946	1,334	11.2%
Lincoln	2,153	236	11.0%
Needham	11,047	839	7.6%
Sudbury	5,921	343	5.8%
Wellesley	9,090	560	6.2%
Weston	3,952	142	3.6%
Westwood	5,389	497	9.2%

Source: Subsidized Housing Inventory, Massachusetts Department of Housing and Community Development, April 30, 2013, <http://www.mass.gov/hed/docs/dhcd/hd/shi/shiinventory.pdf>

Wayland's Affordable Housing: Units Counted in Subsidized Housing Inventory

	Public Housing	Units
Bent Park	Elderly/disabled rental	56
Cochituate Village/Schoolyard	Elderly/disabled rental	55
Scattered site	Family rental	25
	Private developments/publicly subsidized	
Plain Road	Homeownership	1
Millbrook	Homeownership	2
Willow Brook	Homeownership	6
Paine Estate/Greenways	Homeownership	5
89 Oxbow/Nike	Homeownership	11
TOTAL		161*

***NOTE:** The Wayland Town Planner's affordable housing totals are higher than what has, so far, been recorded by the state. However, even counting the additional planned units, the Town is still far from the statewide 10% goal.

Appendix IV: Strategies for Attaining Wayland's Affordable Housing Goals

A number of research studies have found that if housing is well designed, fits in with the surrounding neighborhood, and managed well, there are no negative impacts of affordable housing on the property values of neighboring single family homes. All possible strategies must be pursued for increasing affordable housing in Wayland.

- a) Locate and develop vacant land. If not owned by the Town, the land must be purchased. If land is owned by the Town, permission must be granted to transfer or sell to private developer, either for-profit or nonprofit (e.g.; Habitat for Humanity). Development can then proceed, likely using 40B process.
- b) Inclusionary affordable housing as part of market rate developments. Inclusionary zoning by-law was adopted by the Town, May 3, 2005. For every 6 units built in a single development, an additional 1 must be set aside as affordable. However, this statute was enacted after major developments in Town had already been completed. Only 5 affordable units have been created under the inclusionary zoning by-law.
- c) Purchase existing low cost homes and sell to low-income households. There are very few houses for sale under \$200K; or even \$300K; many homes in lower price ranges need significant repairs, thereby boosting total cost considerably. The Town would have to provide at least \$100K, from Community Preservation Act funds, or elsewhere, to make the units affordable to households earning < 80% area median income.
- d) Purchase existing low cost homes, with management by the Town of Wayland or a nonprofit organization; rent to very low income households. However, under such an arrangement the rental units would need to be self-supporting, since no state or federal subsidies to cover operating expenses would be available.
- e) Create a Housing Trust Fund, which could be capitalized with money from the Town's Community Preservation Act account. Such a fund could assist with providing the Town the ability to purchase land or existing housing that could serve as affordable housing.