

# Planning Office *for* Urban Affairs

ARCHDIOCESE OF BOSTON

## **Chapter 40B Testimony** **Submitted by Lisa B. Alberghini, President** **September 15, 2009**

Senator Tucker, Representative Honan, Members of the Joint Committee on Housing and distinguished guests, thank you for the opportunity to comment on this most important matter. I am providing testimony today on behalf of the Planning Office for Urban Affairs of the Archdiocese of Boston, as President of that Office.

I strongly urge you to ensure that Chapter 40B remains a viable and effective tool for the development of affordable and mixed-income housing throughout the Commonwealth, and to reject any legislative changes that would weaken the law.

The Planning Office for Urban Affairs has built over 2300 units of housing in 26 developments; just under one third of our portfolio has been built under Chapter 40B. We were one of the pioneers in Chapter 40B development, because we knew it offered enormous opportunity for communities to strengthen their neighborhoods and provide for their residents. We are a non-profit, and we take the need and interests of municipalities seriously. Chapter 40B is not about for profit developers out to make money without regard for communities. It is about providing decent affordable homes for all people, in cooperation with communities, and as a matter of social justice and as a tool to strengthen our Commonwealth.

The Planning Office began developing housing under the Comprehensive Permit Law during the early seventies, acting on the belief that affordable housing is needed in every municipality, and that it both enhances the community and supports those who live and serve in the community.

The Planning Office's 98-unit North Ridge Homes in Beverly was the very first development built in the Commonwealth under the Chapter 40B law. Northridge Homes is a cooperative townhouse community of 98 families. First occupied in 1975, it has one, two, three and four bedroom townhouse units, in addition to a clubhouse, a baseball diamond and tennis and basketball courts. Upon completion, 13% of the households were families of color. All 98 families receive homeownership tax credits and build equity in their homes through a unique cooperative plan. "Revolving equity" accounts ensure that a departing low-income family realized their fair-share of equity build-up, while guaranteeing new families access to affordable shares in the property.

Also early in the life of Chapter 40B, the Planning Office began working on a development in Scituate. Despite numerous lawsuits involving 10 years of litigation and two trips to the U. S. Supreme court, which twice affirmed the right of the Archdiocese to construct integrated, low and moderate-income housing on church property, Kent Village opened in 1984. Once it was constructed it was embraced by the community and became an instant asset to the neighborhood,

and any fears about that Chapter 40B housing were immediately assuaged. Kent Village still provides tremendous benefit to the community today.

The Planning Office has completed housing developments under Chapter 40B that range in size from 12 to 230 units in Lexington, North Andover, Billerica, Watertown and Waltham, in addition to our Beverly and Scituate properties. We are now completing a Chapter 40B development in Brookline and will soon break ground on another one in Billerica. This record makes the Planning Office one of the leading non-profit developers of affordable housing built under Chapter 40B in the Commonwealth. Our approach is to work very closely with communities, to understand their needs and objectives, and establish both the housing program and the design in cooperation with neighborhood residents.

The last time I testified in support of 40B before this Committee, over three and a half years ago, I spoke about the St. Aidan development in Brookline, one of the most affluent communities in the Commonwealth where the median price of a single-family home is over \$1 million. We were 5 years into the development process then and weren't sure it would be built. Now, after eight years of working cooperatively with the Town and the neighborhood to balance competing objectives and to build the highest quality development possible, we will complete 59 units of housing there next month, 60% of which are affordable. As an illustration of the extreme need for this housing, we received nearly 500 applications for the 20 affordable rental units at St. Aidan's. There are already several families living at the development, many of whom enrolled their children in Brookline schools this fall, including a student previously in the METCO program. Seventy percent of the units are for people with ties to the Town, and St. Aidan's will soon become home to Town employees, long time Brookline residents who were priced out of their community, and parents and children or those living in Town. St. Aidan's is a tremendous addition to Brookline, and it would not have been built without Chapter 40B.

The Planning Office believes that 40B is a tool that Towns can use to preserve the economic health of their communities, providing housing for their teachers, firefighters and janitors, preserving affordability for young families, who perhaps grew up in the town, and providing housing for the local workforce. The Planning Office strives to work with Towns on "friendly" 40B developments, to guide Towns toward responsible development, which builds on the character of our local communities, and does not diminish it. By requiring local hearings and empowering Boards of Appeal with extensive negotiating rights, the law has encouraged communities and developers to work cooperatively together. We have seen this kind of cooperation over and over again.

We must continue to be proactive in addressing the Commonwealth's critical housing needs. Others have established here this morning that no other State program or tool has produced as much affordable housing as Chapter 40B. It is, by far, the single most effective way to encourage affordable housing development in the Commonwealth. We believe that responsible development has been the rule, not the exception, under the law. We need to keep this tool, and continue to adjust it administratively as needed, to serve our mission – and yours – of strengthening communities and providing every individual with a decent affordable home. Chapter 40B works, for the citizens of this Commonwealth and communities alike. As I said in 2006, with your leadership we believe calm heads and compassionate hearts will prevail in this critical debate, as Chapter 40B is threatened once again.

<b>Development Name</b>	<b>Town</b>	<b>Number of Units</b>	<b>Year Completed</b>
Rose Hill Manor	Billerica	41	2010
The St. Aidan	Brookline	59	2009
St. Mary's	Waltham	70	2001
Hesed House	Billerica	12	1990
Siena Village	Watertown	84	1987
Kent Village	Scituate	64	1983
Wood Ridge	NorthAndover	230	1979
Pine Grove	Lexington	16	1977
North Ridge	Beverly	98	1975