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MEMORANDUM

To: Land Use Committee

cc: Nadia Khan, City Council Clerk
Neil Cronin, Planning Department
Barney Heath, Planning Department

From: Frank Stearns, counsel to Chestnut Hill Realty

Date: September 19, 2017

Re: Item # 132-17 Request for Land Use Committee to act on the Request to Retain an Independent Housing Consultant to evaluate the Enhanced Proposal regarding Kessler Woods and 219 Commonwealth Avenue Affordable Housing Units

Petitioner's Request

The Petitioner requests the committee take action on the request to retain an independent consultant. The Petitioner is not comfortable with the petition going to the full City Council for a determinative vote based on incomplete and inaccurate analysis.

Background

During the public hearing on this petition (June 13, 2017; July 11, 2017; August 8, 2017), the Petitioner offered to fund an independent affordable housing consultant to work for the city to evaluate the proposal. In its July 7, 2017 Memorandum, the Planning Department "agreed to this approach" and stated that "it is working with the petitioner to select an appropriate consultant." Yet, at the July 11, 2017 hearing the Planning Department did not support retaining a consultant. At the August 8, 2017 hearing, the Committee discussed the merits of the petition but did not discuss or vote on retaining an independent consultant.

The Planning Department provided its own analysis of the Petitioner's Enhanced Proposal (maintaining 5 1-BR units at Kessler Woods and adding 28 income and rent restricted units at 219 Commonwealth Avenue) in a powerpoint entitled Planning & Development Department Analysis for Special Permit Amendment Request # 132-17 (August 4, 2017). That analysis included a "Comparability Analysis" and an "Earnings Analysis."

Petitioner's Position

Since the city no longer has the Newton Housing Partnership, that forum of experts is not available to provide guidance on this petition. The inadequacies in the Planning Department's Analysis include:

- Does not give any credit to the \$6.3 million in private subsidy that will be provided to 219 Comm Ave.
- States that the date of delivery of units is "unknown" even though the petitioner committed to the units to come online 3-4 months after getting the special permit amendment.
- States that there are no unit amenities at 219 Comm Ave, even though it includes direct proximity to public park, close proximity to transit, common laundry and upgrades to create gourmet kitchens.
- States that there is a shuttle to the T at Kessler Woods and "1/2 mile walk" at 219 Comm Ave, which are incomparable data points.
- Overstates additional revenue of Kessler Woods by using inaccurate projected rents.
- Does not take into account the loss of market rents at 219 Comm Ave. (bringing them from market to affordable).