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Chapter 40B project OK'd

By **Katie Liesener**/ Staff Writer
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Approved by the Zoning Board of Appeals in January, Wayland Commons will become the first Chapter 40B development the town has willfully approved from an outside developer.

Chapter 40B is a state statute that enables local zoning boards to approve affordable housing developments under flexible rules if at least 20 to 25 percent of the units have long-term affordability restrictions.

Some see the successful passage of the 48-unit development of two-bedroom townhouse condos off Old Sudbury Road near the proposed Town Center as an example of how affordable housing can be successfully integrated into Wayland's landscape.

"If you have a 40B that's reasonable, meets affordable housing goals, and fits in with the character of the town, it can be a good thing," said Brian Boggia, executive director of the Wayland Housing Authority. "Most of that depends on the developer."

In the past, the town has seen some developers propose what are called "unfriendly" 40B developments - housing developments that take full advantage of the state's relaxation of certain aspects of a town's zoning authority.

In this case, Wayland Commons Development Inc. made several changes to gain the approval of the zoning board, which weighed public opinion and recommendations of other town boards since April.

"I think there was a lot of cooperation from the developer, who was genuinely concerned with issues that were raised by the public," said Eric Goldberg, chairman of the Zoning Board of Appeals.

One of the most prominent examples is the change in architectural design. At the behest of the Historic District Commission, the developer agreed to change rooflines and add shingles and faux chimneys to create a more antiquated look, though the property is not strictly within a historic district.

"These are substantial additional costs," said Paul Cusson, managing member of Delphic Associates and development consultant for Wayland Commons.

Those updated architectural drawings will be submitted to the Historic District Commission and then to the Zoning Board of Appeals.

The developer also agreed to maintain existing stone walls and pillars along the property's boundary with Old Sudbury Road, provide vegetative screening to prevent residents' headlights from interfering with traffic, and contribute \$65,000 to the construction of a public sidewalk to connect Wayland Commons with the Wayland Depot.

"These compromises were costly to them, that they hadn't counted on in the beginning," Goldberg said.

The town made plenty of its own compromises as well, allowing for zoning exemptions in the area of impervious surfaces and distances between development construction and surrounding properties.

Of the development's 48 units, 25 percent (12) will be affordable, meaning they will be reserved for households earning no more than 80 percent of the median household income for the region. According to affordability calculations, that means the initial sale price of an affordable unit will not exceed \$159,900. They are to be sold to households earning 70 percent of the median household income thereafter.

The affordable units will be affordable in perpetuity and should be indistinguishable from market-rate units from the outside, though they may have different interiors. Each unit is to be occupied by at least one person 55 or older.

Wayland residents and employees will be given preference via a lottery for the affordable units, though some question to what extent Wayland residents will benefit because of the current asset limitation.

Eligible seniors must have no more than \$150,000 in home equity and no more than \$50,000 in cash.

"The Housing Authority advocated for not having an age restriction. Because a lot of the senior citizens looking at this project may think they're going to qualify for this," Boggia said.

Cusson agrees that many Wayland seniors may be out of luck given the current eligibility

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requirements.

"If someone who's 55 bought their house in Wayland 25, 30, 35 years ago, they bought it at a substantially lower price than it is today," he said.

The state Department of Housing and Community Development is currently reviewing those asset guidelines.

Wayland Commons Development Inc. hopes to break ground in the summer, Cusson said.

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