

MINUTES  
**Hamilton Affordable Housing Trust**  
February 2, 2017 - 6:00 p.m.  
Hamilton-Wenham Library

Members present: Peter Britton, chair, Russ Tanzer, Mark Johnson, Russ Stevens and Bill Wilson.

Other Town staff present: Patrick Reffett, Director of Planning and Inspections; Dorr Fox, Hamilton Community Projects Coordinator.

---

Peter Britton opened the meeting at 6:05 p.m. Russ Stevens moved to approve the minutes of the January 19, 2017 meeting. Russ Tanzer seconded the motion and it was unanimously approved. Peter Britton read a portion of the Town bylaw pertaining to the Affordable Housing Trust. He noted that it is important for the Trust to have funding in order to be nimble to purchase properties when they come up for sale. He is disappointed that they missed an opportunity to consider purchasing 75 Railroad Avenue when it came up for sale. He noted that the Trust does not need to come to Town Meeting when they wish to purchase a property. Brad Haley inquired about the Trust obtaining funds through the Community Preservation Act. He inquired whether this appropriation would need Town Meeting approval. Mr. Britton stated that it would. He explained that when obtaining land, the Trust is under the supervision of the Board of Selectmen. Marc Johnson noted that it may be more appropriate for Railroad Avenue to be a commercial street versus a location for affordable housing. Mr. Britton noted that many people have suggested that affordable housing should be located downtown.

#### REVIEW OF PROCESS

Mr. Johnson questioned whether the Trust's process is working or whether it could be improved. Mr. Britton explained the Host Community Agreement. He noted that there are two organizations, Habitat for Humanity and Harborborlight, that have signed the agreement. He noted that the process is designed to determine whether a site is suitable for affordable housing. If it is so deemed, it is forwarded to the Board of Selectmen who also make this determination. If it is suitable, then they notify these two partners. If a project goes forward, the Selectmen create a specific agreement.

Mr. Johnson stated that they should consider creating a procedure for when a site enters the process. He noted that it appears that the sites currently just pop up. Mr. Tanzer stated that he believes that this is the way the process will be. He doesn't think that there is another way for this process to work. They will find out about properties for sale by driving by and seeing a for sale sign. Mr. Britton believes they have always contacted the owner before considering a site. Mr. Johnson stated that the Trust needs to decide whether a site should enter the process because once it enters, abutters are notified. Mr. Britton noted that in the case of the Kinsman Lane

site, at first it was not available for affordable housing, and then it was available. Bill Wilson stated that he believes that there should be a controlled process to determine whether a site enters the process. In some cases, he believes that they have unnecessarily ruffled feathers. He suggests establishing a subcommittee. Mr. Britton suggested that there should be a meeting to determine whether a site should enter the process. Mr. Johnson stated that he understands that the procedure will be that at the first meeting a site should be discussed to determine whether it should enter the process, and if it does, then the issues will be discussed at a second meeting.

Mr. Johnson inquired whether the existing process of establishing issues for each site is working well. Mr. Stevens stated that the Trust needs to create a process that does not create an uproar among the townspeople. He supports the concept of creating a subcommittee to vet sites before bringing them into the process. Mr. Wilson stated that he believes that they should have a better process to determine the gating issues. He thinks a subcommittee could be charged with this task. Patrick Reffett stated that the Trust needs to look further into the issue of access to a site. He would look into this issue for each site. He noted the Kinsman Lane site as an example.

Jack Lawrence stated that there is nothing that prohibits a land owner or developer from bypassing the Trust with an unfriendly 40B project. This is a time constraint that the Town needs to be aware of. Therefore, the Trust's process needs to produce something. He believes that there should be several small projects scattered around the town, versus one large project. Therefore there needs to be many sites. Mr. Johnson noted that there is no mechanism to determine whether a project is a friendly 40B or an unfriendly 40B project. The Trust is trying to have a transparent process. They are trying to come up with this process.

Richard Boroff stated that while there is no way to determine whether a project is a friendly 40B, he believes that a developer who works with the Town could be considered friendly. If they create a process to develop a friendly 40B process, the developers will come to participate in that process.

Mr. Johnson noted that it sounds like they need to look further into access issues. He inquired whether there was a better way to obtain input from other boards. Mr. Wilson stated that he would like to have more meetings with the Planning Board. Mr. Britton stated that he believes that some of the issues that the Planning Board gets into are too specific for Trust's purposes. Mr. Johnson believes that the meeting with the Planning Board was great. He believes that it was great that they had the ability to talk about several properties at one time. Mr. Wilson noted that the Planning Board has a policy that they wish to have a consultative role in the process. He would like to give them this opportunity. Mr. Johnson wonders whether they can pull together another group of sites to discuss with the Planning Board. Mr. Tanzer does not think they have the time to do this. Mr. Boroff suggested that the Planning Board send a liaison. Mr. Britton noted that it sounds as if the Trust wishes to have more contact with the Planning Board.

Mr. Johnson reviewed the process for when a site or project goes through their process, including the Host Community Agreement and how a developer proceeds once it is signed. Mr. Reffett stated that while the current agreements state that the developer will work through the Town Manager, there is also the ability to work with the Selectmen and other Town boards. Mr. Johnson noted that after a project goes to the Selectmen, the project may go to the Zoning Board of Appeals or the Community Preservation Committee. Mr. Britton questioned how many meetings there will be before a project goes before the Selectmen. They were noting that there would be at least three meetings. There was a discussion on what would happen at these meetings, public notice, public testimony and input from town boards. A member of the audience stated that the Trust should use the PEL form when evaluating a site, specifically Natural Heritage issues and smart growth. Mr. Johnson stated that while reviewing a site for Natural Heritage issues is easy, smart growth is subjective. Mr. Britton stated that they could add it to their list of issues. Mr. Johnson stated that smart growth should be considered, but it should not be a gating issue.

#### CHARGE AND CREATION OF SUBCOMMITTEE

Mr. Wilson read a document he prepared regarding the creation of a subcommittee. He believes that a citizen committee would help the Trust in its work. Tasks could include site selection research, the review and update of the housing production plan, identifying grant opportunities and other assignments to help the Trust complete its work. He suggested that membership could include passionate citizens, with no need for special skills. He suggested that the subcommittee have five members appointed for a one year term. He noted that there have been a lot of people who have become involved from many neighborhoods. He is hoping for a diverse group.

Mr. Tanzer stated that he believes that it is a good idea and that it will get people in the community involved. Mr. Wilson noted that there are already people in the community doing this. The subcommittee would make it official. Mr. Johnson noted that he would not look to a subcommittee to do some of the tasks. He noted that the most exciting part is to get more people involved. It is great if there are more people who can help them.

#### CREATION OF VICE CHAIR POSITION

Mr. Wilson noted that Mr. Britton has done a lot of work. He believes that a vice chair might be helpful. It has been helpful for the Board of Selectmen. While he thinks it is a good idea, it may not be necessary. Mr. Stevens believes this is a good idea. It would be helpful to have two people to put agendas together. Mr. Britton stated that having a vice chair to help set agendas is a rationale for a vice chair. Mr. Johnson stated that Mr. Britton had reached out when there has been a difficult issue. Mr. Britton stated that he will pencil in Wednesdays before the week of the meeting to set the agenda. Other members stated that they could make themselves

available for consultation. Mr. Britton stated that this may evolve into the creation of a vice chair position.

#### 7 KINSMAN LANE

Mr. Britton noted that the Trust had voted to forward the site to the Selectmen for their consideration. Mr. Wilson explained that the site was forwarded to the Selectmen to place on their agenda for February 6<sup>th</sup>, however, it was decided not to place it on the agenda. There are access issues, as well as the consideration of the expansion of the DPW yard and the cemetery. It will be placed on an upcoming agenda when the Selectmen are ready to review it.

Steve Homer walked the Trust through the letter he had submitted. He stated that the Trust should do due diligence on the macro issues. He noted that there are access issues related to Kinsman Lane. Mr. Britton stated that a developer is looking at the access issue and whether the project can go forward is a decision that only he can make. He also noted that the expansion of the cemetery and DPW yard is a benefit to the Town.

Mr. Homer believes that the deed to the site states that the site cannot be further subdivided. Mr. Johnson noted that the development could be a multi-family condominium, which does not need further subdivision of the property. He noted that when the Trust sends a site to the Selectmen, they only identify issues, not resolve them. Mr. Wilson explained that when the developer looks at a site they may decide that an issue is a gating issue. Mr. Britton stated that he believes that there was a lot of due diligence done on the site.

Mr. Homer stated that the site is a pork chop lot. Mr. Tanzer stated that this is not an issue under Chapter 40B. Mr. Homer stated that the first page of the letter discusses the history of Kinsman Lane. The second page discusses the restriction. Kinsman Lane is a very narrow piece of land and there are a number of potential issues. They cannot move the DPW yard, there are buried gas tanks and there is a proposed cell tower. Mr. Britton stated that these are all good points. Mr. Johnson stated that they will note these issues for the Selectmen.

#### PRELIMINARY DISCUSSION: 59 WILLOW STREET

Brian Stein noted that at the last meeting he explained that the Hamilton Development Corporation had purchased 59 Willow Street, a one acre site, a few years ago. At this point, they had perc tests completed by Meridian Engineering. They have put together a schematic plan to determine what they can put on the lot pertaining to septic and drainage issues. There is potential to have thirty bedrooms on the site, which means twenty possible residential units. They are currently considering two paths. One would be an affordable housing development. The other would be a mixed use project with commercial units on the first floor and residential units on the upper floors.

Mr. Johnson inquired whether they would consider a mix of market and affordable housing. Mr. Stein explained that it depends upon the path they take. They would like to see a commercial component. It could be affordable housing if they continue to work with the Trust and Harborlight. If there is a private developer, it could be market rate housing with a few affordable units. Mr. Tanzer inquired about their timeline. Mr. Stein stated that the HDC was thinking of obtaining the permits themselves because they had heard that some of the developers were concerned about permitting. He noted that the RFP has concluded because no-one responded to it. He explained that they would have to issue another RFP.

Mr. Britton stated that he believes that the Trust should take a strong interest in the site. Andrew DeFranza of Harborlight stated that they have been aware of this site for a long time. They are interested in the site, however, they acknowledge that it has limitations, including size, the number of units that could be built and parking. They would want to pair it with a development on another site. If a development on 59 Willow Street was age restricted they would like to see family housing on another site for approval by the state and for financing. Mr. Britton inquired whether there was an issue pertaining to the distance between the two sites. Mr. DeFranza stated that he did not believe there would be an issue. Mr. Britton inquired whether the Kinsman Lane site and the Willow Street site could go together. Mr. DeFranza stated that they could. Mr. Johnson inquired about the finances for the project. He noted that units would cost \$225,000 dollars each. Mr. DeFranza noted that they would obtain state subsidies and a contribution from the Town.

Mr. Haley inquired who makes the decision on the path for the project. Mr. Stein stated that the decision is made by the HDC, which is appointed by the Selectmen. They are funded through the meals tax. They paid \$600,000 for 59 and 63 Willow Street. They have a mortgage on the property. A woman in the audience stated that she believes that the site is ideal for affordable housing. Mr. Wilson inquired how the Trust could influence the path taken by the HDC. Mr. Johnson asked what the Trust could do to help the HDC make a decision. Mr. Stein stated that they would like to get something done that benefits both the Town and the HDC. They do not want to own the property forever. They want to see something happen there in a timely fashion. Mr. Britton stated that they would further discuss the site at their next meeting and that the abutters should be noticed.

#### REVISED GRANT APPLICATION TO CPC

Mr. Britton stated that he is suggesting that the Trust increase the amount of money they are requesting from the Community Preservation Committee to \$600,000. This way they can help Harborlight purchase the Willow Street property from the HDC, and the HDC can move on to develop other sites. Mr. Stein stated that at the current time their mortgage is interest only. If they can demonstrate to the bank that they have a project, they can sustain this arrangement. Mr. Johnson noted that if the Trust gives money to the HDC, there would have to be affordable housing on the site. He also noted that they have existing funds and that there is time to ask the CPC for

additional funds. Mr. Britton stated that he is looking for flexibility. Mr. Wilson stated that \$625,000 should be enough funding. He is concerned that their request will not get through the CPC and Town Meeting. There was a discussion about how the CPC money requested by the Trust could finance the Willow Street site. The Trust decided that they would stay with a request for \$400,000.

#### HAHT BUDGET FOR STAFF APPROPRIATIONS: FY 2017 AND FY2018

Mr. Reffett stated that they are asking for \$11,500 for FY 2017 and \$12,000 for FY 2018 for the purpose of staff salaries for the Affordable Housing Trust. Mr. Johnson moved to make this appropriation as stated by Mr. Reffett. Mr. Tanzer seconded the motion and it was unanimously approved.

#### TECHNICAL SERVICES FUNDS TO ASSIST EVALUATION OF GORDON-CONWELL SITE AND OTHER PRIVATE LAND

Mr. Britton suggested that the Trust create a budget to fund studies on privately owned sites. He noted that the Trust had previously funded a study of the publicly owned Winthrop School/ Council on Aging site. Mr. Tanzer stated that he believes that this would be a good idea for the Gordon-Conwell site, especially since the seminary is interested in building affordable housing on the site. Mr. Johnson stated that he thinks that it is good if the owner or developer is vested enough in the project to spend the funds themselves. Mr. Britton stated that Gordon-Conwell has presently accepted a hand drawn plan for the appraisal. Mr. Johnson inquired about the study the Trust would fund – traffic, septic, storm water calculations or surveying. He is comfortable with surveying, but not necessarily other studies. He is balancing expediting the process with wanting developers to pay for their own projects. He could consider it on a case by case basis. Mr. Wilson stated that he has concerns with the taxpayers paying for studies on private lands, especially when abutting property owners may have issues with a project. Mr. Britton stated that the Trust's purpose is to investigate, not develop. Mr. Johnson stated that he can understand spending funds to investigate. Mr. Tanzer stated that the funds should be tied to a specific scope of work. A man in the audience stated that he believes that it is irresponsible for the Trust to use tax payer dollars for a private project.

#### NEW BUSINESS

Mr. Britton would like to bring up the possibility for using the Patton property for affordable housing.

Lucinda Hines advocated for smart growth and locating affordable housing in the downtown area. Mr. Britton noted that there could be septic issues in the downtown.

The meeting was adjourned at 8:01 p.m.

