

MINUTES
Hamilton Affordable Housing Trust
March 16, 2017 - 6:00 p.m.
Hamilton Town Hall

Members present: Peter Britton, Chair, Russ Tanzer, Mark Johnson, Michael Lombardo and Bill Wilson.

Town staff present: Dorr Fox, Hamilton Community Projects Coordinator.

Peter Britton opened the meeting at 6:00 p.m. Russ Tanzer made a motion to approve the minutes of the March 2, 2017 meeting. Marc Johnson seconded the motion and it was unanimously approved. Mr. Tanzer made a motion to approve the minutes of the February 21, 2017 joint meeting with the Board of Selectmen, with an amendment. Bill Wilson seconded the motion and it was unanimously approved.

PRELIMINARY DISCUSSION: PATTON HOMESTEAD

Mr. Johnson recused himself as a member of Patton Homestead, Inc. and left the table. Mr. Britton showed slides of the site that indicated the 100 foot wetland buffer, the FEMA flood zone, a proposal to relocate the parking lot and view sheds of the site. He also showed a hypothetical site plan for eighteen units on 1.6 acres of land on the site. He noted that units would have three bedrooms and two bathrooms and would be constructed for families and military veterans. He stated that the goal of the plan was to preserve the basic function of the homestead, while providing affordable housing.

Mr. Lombardo stated that he does not believe that the plan would meet the terms of the gift agreement. They could obtain a legal opinion to determine whether this is correct. He believes that housing so close to the main house may preclude certain uses of the main house. Mr. Tanzer stated the site is a Town asset and that the gift agreement should be looked at. Mr. Wilson concurred and noted that they will learn more at the Board of Selectmen's meeting where a report will be presented. He was also concerned that the housing could impact the future use of the main house. Mr. Britton stated that he believes that the site should be explored because they are looking at all Town-owned parcels and they are trying to spread small affordable housing projects throughout the Town.

Mr. Wilson stated that he would like the opinion of the Patton Homestead non-profit regarding how the housing scheme would fit into their plans for the site. Mr. Lombardo noted that the site has been divided into three parcels. He inquired whether the plan was located within one parcel. Mr. Britton stated that it was. Mr. Lombardo requested that Mr. Fox send him the slides so that he can forward them to Town Counsel. Mr. Britton showed photos of the site that were taken by a drone. There was a discussion on the photos and the plans Mr. Britton had presented.

John Fauci inquired how many acres the Patton Ridge development was comprised of. Trust members stated that there were four to five acres. He stated that he understood that the gift agreement specified the price and the color of the housing. Mr. Johnson stated that it only specified that the housing would be moderately priced, and that there would be twelve houses. Mr. Fauci questioned placing eighteen homes on 1.6 acres. He understood there were limitations on the development of the site when he purchased his house. Mr. Lombardo stated that he questions whether that proposal would be consistent with the gift agreement. Richard Boroff stated that design issues, including colors of the units, were discussed at the Planning Board meetings. Mr. Wilson emphasized that they need to look at the gift agreement to determine what it permits.

Robert Borsetti inquired about the RFP for the site, and how it would work in conjunction with this affordable housing proposal. Mr. Britton stated that no-one had responded to the RFP. Mr. Lombardo stated that there is a lot for the Board of Selectmen to discuss in relation to the RFP. The RFP could be restructured and reissued. Mr. Borsetti discussed the parking for the site and inquired whether a parking lot should be created before a use has been established.

Ann Gero inquired about the design of the parking lot on the site. Mr. Britton stated that the lot he showed on the plans would be approximately 14,000 square feet. Mr. Tanzer stated that he believes that there should be a plan for the land before any construction, including a parking lot, is done on the site.

Mr. Britton read a portion of the gift agreement. Mr. Lombardo noted that there was to be no more housing beyond what has already been constructed, the land was not to be further subdivided and if a portion of the property was sold, the family has the first right of refusal. He believes that if there was a lease, the family would still have rights.

PRELIMINARY DISCUSSION: LANDFILL SITE – CHEBACCO ROAD

Mr. Johnson reviewed an aerial image of the site. He noted that there are wetlands and a small pond on the site. He noted that development of the site may require Natural Heritage review due to Blue Spotted Salamander habitat. The Town had requested that this designation be removed, however, he is uncertain whether it has been. He pointed out adjacent uses, including the Manchester water supply, the Manchester Dump and a gun club. He pointed out the landfill cells. Mr. Lombardo pointed the capped areas.

Mr. Johnson pointed out the upland portions of the site, but noted that they may be difficult to access due to the wetlands. Mr. Wilson inquired about the size of the upland portion of the site. Mr. Johnson stated that he believes that it is between two and three acres. He noted that the Town had considered locating wind towers there. Mr. Lombardo noted that a solar array will be constructed on the caps this summer, assuming that the DEP grants approval. He stated that DEP would have something to say about housing on the site.

Mr. Britton stated that an advantage of the site is access to Route 128. In addition, it would not visually impact many neighbors. Mr. Johnson noted that the site is restricted by wetlands, which cannot be waived through Chapter 40B. Mr. Lombardo stated that he is concerned about health issues and the liability of the Town. Mr. Johnson stated that at one time the Town considered releasing an RFP for the site, however there was a developer who was scared off due to the proximity of the landfill.

Jack Lawrence stated that there is a substantial amount of upland on the site, where housing could be built. He also noted the location of a vernal pool. Mr. Johnson stated that the site has been fully surveyed, and the Town knows the location of the uplands and where there would need to be wetland crossings. They had talked to the Conservation Commission and they told him that their permits would be the last Town permits to be obtained. He also noted that Chapter 40B does not waive all of the wetland regulations.

Mr. Wilson noted that there had been discussions about relocating Dodge Tree at the landfill and constructing housing on their site downtown. Mr. Britton noted that they had conversations with Dodge Tree and they would like to stay in business. He noted that they could not run their trucks on Chebacco Road in its current condition, without damaging them. Mr. Lombardo stated that he likes the relocation of Dodge Tree on the site better than housing. Mr. Wilson inquired whether the Trust should send a letter asking Dodge Tree if they have an interest in the site. Mr. Johnson stated that perhaps the letter should come from the Board of Selectmen. There was a discussion about whether Lamson Oil could also be relocated.

Mr. Tanzer stated that Dodge Tree wants to stay in business and that the owner's son is now becoming involved with the business. Mr. Britton stated that they need to figure out how to make the relocation attractive. He noted that the Dodge Tree site is unique in its downtown location as a good site for housing.

Mr. Wilson inquired whether they should have parallel tracks. One track being for housing when there is a landfill and a gun club adjacent to the site and the other being the land swap to locate another use such as Dodge Tree on the site. Both tracks could lead to housing in town.

Ian Cookson stated that he would like them to look at other possible locations for Dodge Tree. He thought that it would be easier to find a location to park trucks than build housing. Mr. Johnson stated that the Town allows trucks at the landfill site or the downtown. Otherwise, the Town is zoned residential. He noted that the proximity of the landfill site to Route 128 may be a good selling point.

Mr. Wilson suggested that the Trust could send a letter to the owner of Dodge Tree. It was determined that Mr. Tanzer would draft a letter for the other Trust members to review. Mr. Johnson will send out information regarding site. Mr. Lombardo will contact DEP to determine what they will allow to be built at the site. Dave Thompson stated that one can build on landfills. He noted that the Columbia Point

neighborhood in Boston, which includes housing, University of Massachusetts Boston and the JFK Library is built on a landfill site. He noted that it is expensive, however, DEP has allowed this construction in the past. He does not advocate building on the closed cells, but suggested looking into construction on the adjacent land.

Mr. Tanzer inquired about traversing the cap. Mr. Lombardo stated that he does not think putting a road over the cap is a problem, however, traversing the adjacent wetlands would be. There was a discussion regarding permitting through the Conservation Commission, and whether the timing of their process could change.

Lucinda Hines inquired why endangered species habitat could be an issue with the landfill site, but was not an issue with the 13 Essex Street site, when both sites were mapped endangered species habitat. Mr. Johnson stated that the Town had hired a consultant and worked with Natural Heritage to determine whether the site was actually endangered species habitat. Mr. Wilson stated that they had not ruled out the landfill site and still could put it in the basket of potential affordable housing sites. This site will be on the agenda for the next meeting.

PRELIMINARY DISCUSSION: CHEBACCO LAKE SITE – LAKE SHORE DRIVE NEAR BIRCH ROAD

Mr. Johnson reviewed the history of the ownership of the site. At one point, several years ago, it was owned by an association. Currently it is listed by the Assessor's Office as owned by the Town, however, there is not a clear title. He noted that Chebacco Lake is a great pond and therefore there are greater setbacks. There is substantial upland on the site, however, there could be septic issues due to proximity to the lake. He noted that the water is shallow near the site and that the site could be used for a park with a dock extending into the lake. The site is approximately one acre. Mr. Britton noted that three duplexes could be built on the site, with a total six units. The site has adequate frontage.

Mr. Johnson stated that similar to the Central Avenue site, the public has been using this site as a park. He noted that the Town could build affordable housing on the site or sell it to build affordable housing elsewhere in town. Mr. Britton stated that he favors providing sites such as this one for Habitat for Humanity. Mr. Lombardo stated that he understood that the cost to clear the title would be \$5000. The Trust members all thought that it would be a good idea to clear the title of the property.

HARBORLIGHT FEEDBACK ON NEXT STEPS WITH BASKET OF SITES

Mr. Wilson stated that the Trust had asked him to contact Mr. DeFranza, so he did. He stated that Mr. DeFranza and Harborlight are in neutral. They need to explore the sites more, however since this will cost money, they need direction from the Board of Selectmen and/or the Affordable Housing Trust. Mr. Tanzer and Mr. Britton stated that they thought the Board of Selectmen should be giving the guidance. Mr. Wilson stated that they will put this topic on an upcoming Board of Selectmen's meeting.

CHARGE AND CREATION OF SUBCOMMITTEE

Mr. Wilson stated that he thought it would be good to get work done between meetings and that it would be good to get more citizens involved. Mr. Fox noted that Patrick Reffett had looked into whether the subcommittee would need to have their meetings posted and whether they would need to have minutes of their meetings. Ms. Brewer had confirmed that they would need agendas posted and minutes of meetings. There was a brief discussion about the public meeting law.

Mr. Lawrence stated that he believes that they need to figure out the charge of the subcommittee. Mr. Britton read the draft charge that Mr. Wilson had proposed. Mr. Lombardo stated that they could hire another part-time staff person to work with Mr. Fox. Mr. Wilson stated that he is looking more for community input.

Mr. Borsetti noted that the people who will want be on the subcommittee are the people who are living near one of the sites that have been placed in the basket. He noted that people from these neighborhoods come to the Trust meetings and does not think there is a need for a subcommittee. He believes that the subcommittee should have members whose neighborhoods are not impacted by a potential affordable housing site. Mr. Wilson stated that he believes that the people who have an interest to get involved are the people who live in neighborhoods that are impacted. He believes that since Hamilton is a small town, everybody will be impacted. Mr. Johnson stated that it would be wonderful to have a subcommittee, however, it may not be possible. Mr. Britton stated that they have already looked at all of the sites that are currently available. Mr. Borcetti stated that a lot of information came to the Trust through the unauthorized unsanctioned group associated with the Longmeadow neighborhood that met at Town Hall on Friday mornings.

Mr. Britten noted that they had done a lot of work, with the intention of avoiding an unfriendly Chapter 40B project. Mr. Johnson stated that his motivation for doing the work is to actually create the 200 units the town is short for affordable housing. Mr. Britton noted that the state imposed the housing plan to create 200 units on the residents of Hamilton. Mr. Johnson reviewed historical discussions the Trust had regarding the creation of affordable housing in town. He noted that the Trust was aware if a large project was proposed, it would disrupt the community. This year, that concern came true. The Trust members noted that they need to focus on what they will accomplish in the future.

Mr. Britton noted that there are many smaller sites throughout the Town that could be used for affordable housing. He noted that the RFP for the HDC site on Willow Street is going to be released. He noted that there needs to be both family housing and senior housing. The Patton site could be used for family housing.

Chip Curtis inquired about how the Town is hoping to have projects with thirty to forty units, but developers are stating that this size of project is not feasible. Mr. Wilson noted that this is due to potential appeals. Mr. Johnson stated that smaller

projects might work for homeownership projects. He noted that the state prefers rental units. However, it may be financially difficult to maintain a rental project.

Mr. Borsetti stated that a developer could build a market rate development and pay a penalty to avoid building affordable housing as part of it. Mr. Johnson and Mr. Wilson noted that this could not be done through Chapter 40B MGL.

Mr. Lawrence proposed that they could increase the size of the Affordable Housing Trust and add members from the neighborhoods that may be impacted. The Trust members discussed whether their membership could be increased. Mr. Lawrence noted that it is not worthwhile to have a subcommittee if it has no authority. There was further discussion regarding the concept of creating a subcommittee or adding members to the Trust. Mr. Britton stated that they should determine if there are people who are interested in joining the Trust as members.

CREATION OF VICE –CHAIR POSITION

Mr. Britton stated that he will need to resign as a member of the Affordable Housing Trust as of April 4, 2017 because he will be taking a position with Outward Bound that will take him to Rwanda and Oman. Mr. Britton was thanked for his service and applauded by members of the Trust and the audience. Mr. Wilson requested that Mr. Fox and Mr. Lombardo look into whether the Trust membership could be expanded.

NEW BUSINESS

Mr. Britton suggested that the Trust change their meetings to once a month. It was decided that there needs to be a meeting in two weeks to discuss the landfill site. It was decided that this meeting would be on Monday, April 3, 2017 at 6 p.m. It is likely that Rob Brennan and the Feedback from Harborlight would be on the Board of Selectmen's meeting that night.

Mr. Borsetti noted that the Longmeadow site is the subject of a citizen's petition that is on both the Hamilton and the Wenham Town Meeting agendas. If this petition is approved, he believes that the Trust should discuss how this would affect affordable housing on the site. He suggested taking the Longmeadow site out of the basket of sites. There was further discussion on this topic. The Trust members decided not to remove the site from the basket of sites.

Mr. Britton made a motion to adjourn the meeting at 8:12 p.m. Mr. Tanzer seconded the motion and it was unanimously approved.

