

Affordable Housing Trust  
January 6, 2022  
Meeting held via Zoom videoconference

Roll Call

Present were:

Victoria Petracca, Chair  
Frank Streeter, Secretary  
Jay Moody  
Carolyn Read  
Debra Williams  
Marilyn Largey, ex officio (absent)

Chair Victoria Petracca called the Affordable Housing Trust's (AHT) meeting to order over Zoom at 7:06 PM and called the roll of the Trustees.

**Board Reorganization**

Chair Petracca opened the meeting by moving Reorganizing the Board up to the first agenda item. She gave a heartfelt speech about how the Chair's position should rotate between members for the good of the organization and asked if anyone else would like to become Chair. No one stepped forward. Chair Petracca noted that the responsibilities of being Chair had increased over the past year and that the Select Board had assigned the Chair to two other committees, the MOU Committee (to negotiate a binding memorandum of understanding/agreement with Capital Group re. their proposed development project in North Lancaster) and the Memorial School Reuse Committee (MSRC).

The Board discussed this new workload for the Chair given her other commitments. Secretary Streeter proposed that the Board assign other of its members to these committee assignments. After a brief discussion,

**Secretary Streeter moved that Trustee Read should replace Chair Petracca on the MSRC; Trustee Moody seconded the motion, and the motion passed on a 5-0 vote.**

After another brief discussion,

**Trustee Williams moved that Secretary Streeter should replace Chair Petracca on the MOU Committee; Trustee Moody seconded the motion, and the motion passed on a 5-0 vote.**

Secretary Streeter brought up the issue of terms for the Trustees and the Town's efforts to have all terms end on June 30. Other than staggering the initial terms, all reappointments of trustees are for 2 years as per the trust instrument. Chair Petracca and Trustee Read were just appointed to terms ending on June 30, 2023, which is slightly less than two years but meets the Town's term standardization goal. Secretary Streeter's and Trustee

Williams' current terms end in December of this year (2022), and Secretary Streeter brought up the idea of either being appointed at that time until June 30, 2024, or possibly agreeing to resign and be reappointed effective June 30, 2022 for two years. Either would end up with the same term ends, and the choice will be made by the Select Board.

After a brief discussion,

**Secretary Streeter moved that Chair Petracca be re-elected Chair; Trustee Williams seconded the motion, and the motion passed on a 5-0 vote.**

#### **Approval of Meeting Minutes**

After a brief discussion,

**Trustee Read moved to accept the minutes of the Trust's December 2, 2021 meeting; Trustee Williams seconded the motion, and the motion passed on a 5-0 vote.**

After a needed reminder from Lancaster resident and astute observer Dick Trussell, (15 Burbank Lane)

**Trustee Read moved to re-elect Secretary Streeter; Trustee Williams seconded the motion, and the motion passed on a 5-0 vote.**

#### **Updates to Lancaster's Subsidized Housing Inventory (SHI)**

Trustee Read updated the Board on the status of 32 Carter Street. Trustee Read stated that the homeowner is willing to sign the updated version of the deed rider, which would allow 32 Carter St. to be formally added to Lancaster's Subsidized Housing Inventory (SHI), but he has not yet done so. Once signed, the rider will have to be sent to and approved by DHCD before the unit can be added to Lancaster's SHI.

Chair Petracca briefed the Board on the Harbor Homes project at 2038 Lunenburg Road. She has not had any update from the developer or their counsel. Lancaster Resident Martha Moore reported that the development now has a new engineer and they are completely reworking the development's stormwater management plan. The Board authorized Chair Petracca to send a letter to the Planning Board and the Town's new Planning Director, as well as the developer's counsel, reminding them about the requirement that the development include affordable units as per their Special Permit.

#### **Scheduled Appearances**

None

#### **Proposed 40R Smart Growth Overlay District in North Lancaster**

Chair Petracca updated the Board on the Select Board's upcoming hearing, which is now scheduled for January 19, 2022 at 7 PM. The previous hearing on December 6<sup>th</sup> was not properly noticed and had to be rescheduled. DHCD confirmed that the January 19 hearing was properly noticed. Karen Chapman of MRPC will attend the meeting and will have

some slides to present. The plan is for a 10-15 minute overview with backup slides on specific points if needed. The goal of the meeting is for the Select Board to vote to forward the 40R application on to DHCD for preliminary approval.

Chair Petracca reviewed the approval process. If DHCD grants preliminary approval to the application then the application goes to the Planning Board for a hearing before being placed on the Warrant for a Town Meeting, either Special or Annual. At present the Town's Special Town Meeting is scheduled for February 15, but Chair Petracca feels the 40R application will not have progressed far enough to meet that schedule and will end up on the Warrant for the Annual Town Meeting in May.

Lancaster resident Dick Trussell, (15 Burbank Lane) asked how the proposed 40R zone would relate to the State's new MBTA zoning regulations. Chair Petracca thanked him for his question and noted that was an upcoming agenda item for full discussion later in the meeting.

North Lancaster resident Rob Zidek (103 Kaleva Rd.) asked if the State's new environmental justice regulations would affect the 40R zone. Chair Petracca responded that any developer who needs to file an application with MEPA would have to address environmental justice issues as a part of that filing, and it's MEPA's responsibility and authority to review any and all environmental justice issues. Chair Petracca will add a discussion of environmental justice issues and MEPA's role to a future AHT meeting agenda.

Chair Petracca brought up Town Counsel's comments on marijuana related uses in the 40R zone as a by-right use. After a brief discussion establishing that all marijuana business related issues could be addressed through the underlying zoning and did not need to be specifically addressed in the 40R proposal,

**Secretary Streeter moved that all by-right marijuana uses should be deleted from the 40R proposal; Trustee Read seconded the motion, and the motion passed on a 5-0 vote.**

#### **Memorandum of Agreement (MOA) between AHT and Capital Group re. 40R**

Chair Petracca said she had reached out to Town Counsel about this but had not received a response. The Select Board recently voted to change Town Counsel to a different firm, Miyares & Harrington, who have offices in Wellesley, which explains the delay. Trustee Moody reported that one of the reasons the Select Board chose this firm was their expertise in land use issues.

Lancaster resident Martha Moore (131 Centerbridge Rd.) stated that it was probably better for the AHT and the Select Board to have separate MOU/MOAs as each would pertain to a different set of properties. Secretary Streeter agreed.

The Board discussed DHCD's draft guidelines for Multi-Family Zoning Requirements in MBTA Communities. Lancaster is considered an MBTA-adjacent community and as

such must provide a zone of at least 50 acres for multifamily development, large enough to accommodate 750 units with a by-right density of at least 15 units per acre, which at the moment is the new requirement for MBTA-adjacent communities. 750 units is stated in the requirements, but all present hoped that number would decrease in the final draft of the new regulations as 750 units is equivalent to about a quarter of Lancaster's existing housing stock. Chair Petracca will arrange for a new tab on the AHT website to host all information related to the new MBTA zoning requirements for public reference.

Chair Petracca noted that the proposed 40R district would meet many of the new MBTA zoning requirements in terms of overall size and by-right multifamily uses, but the existing 40R proposal's 12 units per acre requirement for 2- and/or 3-family residential use is less than the new MBTA requirements of at least 15 units per acre. The proposed 40R bylaw requires 20 units per acre for multi-family, which is compliant with the MBTA draft guidelines, but the 2- and 3-family reference is not. After further discussion,

**Secretary Streeter moved that the 40R proposal remain at 12 units per acre if DHCD agrees this will meet the MBTA zoning requirements, but otherwise to increase the density from 12 to 15 units per acre to meet the new requirements; Trustee Moody seconded the motion, and the motion passed on a 5-0 vote.**

The Board then discussed buildout possibilities for the proposed 40R zone. At present, if all existing uses are maintained (gas station, soccer fields, etc...) then the capacity of the 40R zone would be about 674 units. Chair Petracca will ask DHCD to review the current 40R application in reference to the new MBTA zoning to see if it would meet the MBTA district requirements as is, or with the additional density.

Chair Petracca presented some Correspondence received related to the 40R District:

- a. December 17, 2021: Select Board Designee & Article Removal Request
- b. December 17, 2021: February 15, 2022 Town Meeting
- c. January 3, 2022: Smart Growth Overlay District Boundaries

Trustee Moody stated that Town Counsel had reviewed the question about the Select Board designee on the Trust having a conflict of interest because they worked on the 40R proposal that the Select Board would have to approve. Counsel determined there was no conflict. The Select Board declined to remove the article (a hearing and possible vote to send the 40R application to DHCD) from their agenda as there was no conflict.

Chair Petracca noted that while the Special Town Meeting is presently scheduled for February 15, the 40R proposal would not be on the warrant for that meeting as the hearing schedule is just too tight. She anticipates it will be on the Warrant for the Annual Town Meeting in June. Chair Petracca spoke to the resident who had inquired about the boundaries of the proposed 40R zone.

## **Public Comment**

Lancaster resident Dick Trussell, (15 Burbank Lane) asked if the 2020 census housing units update had been received yet. Chair Petracca responded that, while the official numbers have not yet been released, the new MBTA zoning regulations do have the updated numbers. Lancaster's 2010 number was 2544 and the 2020 number is 2788 units, so the Town needs a total of at least 279 SHI units to be over the State's statutory 40B requirement of having at least 10% affordable housing.

North Lancaster resident Rob Zidek (103 Kaleva Road) noted that Lancaster's State Rep and State Senator would be attending an upcoming meeting of the Select Board and that the meeting would be a good time to promote good housing ideas.

### **New Business**

None

### **Communications**

Chair Petracca reminded the Board of the dates of Capital Group's upcoming presentations, all of which will now be held on Zoom instead of at MRE.

The entire Board congratulated Chair Petracca on a busy and successful first year as Chair of the AHT and wished her many more.

The next two scheduled Affordable Housing Trust Meetings will be held on Thursday, January 20, 2022 at 7 P.M. via Zoom, and on Thursday, February 3, 2022 at 7 P.M. via Zoom.

### **Adjournment**

There being no further business to consider,

**Trustee Moody moved to adjourn the meeting; Trustee Williams seconded the motion, and the motion passed on a 5-0 vote.**

The meeting adjourned at 8:32 PM.

Respectfully Submitted,

Frank S. Streeter, Secretary