

Affordable Housing Trust
July 6, 2023
Meeting held via Zoom videoconference



Roll Call

Present were:

Victoria Petracca, Chair
Frank Streeter, Secretary
Jason Allison (absent)
Carolyn Read
Debra Williams
Kelly Dolan, ex officio

Chair Petracca called the Affordable Housing Trust's (AHT) meeting to order over Zoom at 7:03 PM and called the roll of the Trustees.

Approval of Meeting Minutes

None

Scheduled Appearances

None

Housing Production Plan

Chair Petracca discussed Lancaster's Housing Production Plan and the schedule for its update. Planning Director Jasmin Farinacci has applied for a MA One Stop grant to cover all the costs of the update and should find out by the end of July if the Town has received it. Lancaster Town Administrator Kate Hodges does not wish to sign the contract until she knows if the Town received the grant.

197-211 Main St. (aka 213-219 South Main St.)

The Board is still concerned that the units are too small and thus not compliant with the size requirements specified in the Commonwealth's current Regulatory Agreement that is to be recorded with each affordable unit. This project is a local action unit (LAU) so Chair Petracca and Town Administrator Hodges must sign off on the plan. State regulations require that a two-bedroom unit be over 900 ft.² and the Town must have a compelling argument to accept a smaller unit under an LAU. Trustee Read asked what was really "compelling" about this situation.

Trustee Read noted that while the minimum size for a two-bedroom unit is 900 ft.², for a one-bedroom unit it is only 700 ft.². Secretary Streeter asked about ADA compliance for these units and Chair Petracca responded that only the first-floor units would be ADA compliant. Secretary Streeter stated that he felt it was important that any affordable unit be ADA accessible. Trustee Read proposed taking one of the ADA accessible units on the first floor of 197 Main St. as the affordable unit. This unit is 740 ft.² which is the smallest of the units defined as two-bedroom units by the developer. Trustee Read explained the factors that determine whether something is a one or two-bedroom unit.

Trustee Williams asked further questions about the process. This unit will be officially a one bedroom under the law because the developer will not put a closet in the other bedroom. Chair Petracca stated that if this unit is configured as a one bedroom it would be larger than the other one-bedroom units, but would still offer the possibility of an extra room. After a further discussion,

Secretary Streeter moved that the Trust ask for the 740 square-foot unit on the first floor at 197 Main St., which is ADA accessible, be constructed as a one-bedroom unit and set aside as the deed restricted affordable unit for the project; Trustee Read seconded the motion, and the motion passed on a 4-0 vote.

Chair Petracca asked Maureen O'Hagan, who is serving as the affordable housing consultant to the project, about having a local preference for tenants. Unfortunately, O'Hagan stated that local preference does not apply to a single unit, but Chair Petracca will research this further. Chair Petracca is also trying to negotiate a rent for the unit that is below the standard 80% AGI.

Memorial School Reuse Committee (MSRC)

The Board discussed the Memorial School Reuse Committee and its work, as well as the legal opinion prepared for the Town and released by the Select Board. Chair Petracca discussed the deed restrictions on the school, and how they are binding. She reported that, subsequent to issuing its report, the Committee will be disbanded. Chair Petracca and Trustee Read regretted that the school could not be re-developed into affordable housing.

Chair Petracca suggested going to the Select Board to ask that any development at the former DCAMM site include affordable units at well below 80% AMI. Secretary Streeter noted that 1/3 of the units in the 40R district in North Lancaster are at 60% AMI with the remainder at 80%. Ex officio Trustee Kelly Dolan is strongly in favor of the lower rent limits and wants to engage residents now to advocate for that at this early stage in the process.

Trustee Dolan also discussed the need for elderly affordable housing and where to put it in Lancaster. Chair Petracca noted that while the Bigelow Gardens development is limited to 30% AMI, it also has a very long waiting list. Chair Petracca would like to send a letter to the Select Board outlining the desirability of creating more units at below 80% AMI. After a further discussion,

Secretary Streeter moved that Chair Petracca send a letter to the Select Board advocating for rents lower than 80% of AMI in future projects, including DCAMM; Trustee Read seconded the motion, and the motion passed on a 4-0 vote.

Updates on status of 40R zoning

Chair Petracca was pleased to report that the Attorney General's office has finally finished reviewing the large number of public comments that were submitted in

relationship to the 40R zoning that the town passed at the Special Town Meeting in November 2022. The new deadline for the Attorney General to complete the review of the language of the new zoning, and ideally approve it, is now August 21, 2023.

Updates to Lancaster's Subsidized Housing Inventory (SHI)

Chair Petracca was pleased to note that construction of the Cottage Lane rental project on the site of the former Jones Crossing is proceeding. She has requested the State add all 32 rental units to Lancaster's SHI as soon as possible. Unfortunately, the State has a few months backlog in this process, so it is unlikely that the units will be added to the Town's SHI before the end of the summer. No 40B safe harbor is available from this project due to age of the original Comprehensive Permit issued for Jones Crossing.

Chair Petracca announced that the affordable unit for sale at Blue Heron, which had been on the market for quite some time, now has a signed purchase and sale agreement. Secretary Streeter asked about the closing date of the transaction. Chair Petracca did not know but will follow up and report back.

Proposed Updates to Zoning

The Board then revisited the issue of the bylaws that were proposed for the Annual Town Meeting this past May. These included revising the accessory dwelling unit bylaw and some changes to the inclusionary zoning bylaw. Secretary Streeter was pleased to report that the Planning Board will be holding a hearing on the accessory dwelling unit bylaw on July 24. He asked any member of the trust who had comments to please appear at the hearing. After a further discussion,

Trustee Read moved that the Affordable Housing Trust formally recommend passage of the accessory dwelling unit bylaw; Trustee Williams seconded the motion, and the motion passed on a 4-0 vote.

Secretary Streeter reported on the difficulties with the changes to the existing inclusionary zoning bylaw. The confusion had come up in terms of how to define rehabilitating a unit versus creating new units, and what the Town's policy should be for rehab projects. Chair Petracca clarified that the bylaw should state that it governs net new units in cases of rehab projects. The Trust will discuss how best to word this and will come up with proposed language for the bylaw, but that is unlikely to happen in time for the Special Town Meeting in the Fall.

Public Comment

none

New Business

None

Communications

None

The next regularly scheduled Affordable Housing Trust Meeting is presently scheduled for Thursday, August 2, 2023 at 7 P.M. via Zoom. However, this meeting will be cancelled unless there is some specific action the Trust needs to take before September. Chair Petracca will notify the Board if the meeting is to be cancelled. Beyond that, the next regularly scheduled Affordable Housing Trust Meeting will be on Thursday, September 7, 2023 at 7 P.M. via Zoom.

Adjournment

There being no further business to consider,

Trustee Williams moved to adjourn the meeting; Secretary Streeter seconded the motion, and the motion passed on a 4-0 vote.

The meeting adjourned at 8:12 PM.

Respectfully Submitted,

Frank S. Streeter, Secretary