

Affordable Housing Trust
June 2, 2022
Meeting held via Zoom videoconference

Roll Call

Present were:

Victoria Petracca, Chair
Frank Streeter, Secretary
Steve Kerrigan
Carolyn Read
Debra Williams
Kate Hodges, ex officio

Chair Victoria Petracca called the Affordable Housing Trust's (AHT) meeting to order over Zoom at 7:03 PM and called the roll of the Trustees. Chair Petracca welcomed Lancaster Town Administrator Kate Hodges as an ex officio Trustee. Chair Petracca again clarified that, because the Affordable Housing Trust's trust instrument specifies 2 year terms, Trustee Kerrigan's term as Trustee is only for two years even though he is representing the Select Board and was just elected to a three year term.

Approval of Meeting Minutes

After a brief discussion,

Secretary Streeter moved to accept the minutes of the Trust's April 21 and May 5, 2022 meetings and Trustee Williams seconded the motion. The motion to approve the April 21, 2022 minutes passed on a 4-0-1 vote with Trustee Kerrigan abstaining as he did not attend the meeting. The motion to approve the May 5, 2022 minutes passed on a 2-0-3 vote with Trustees Kerrigan, Read, and Streeter abstaining.

Updates to Lancaster's Subsidized Housing Inventory (SHI)

Chair Petracca reviewed the Town's SHI inventory and will post it on the AHT website. She explained how the Town has lost some units from its SHI because the units were sold at market rate. The 'lost' units include one unit in Shaker Village that lost its SHI status due to a bank foreclosure and two units at Lancaster Woods, one which lost its SHI status due to foreclosure and one due to the lack of a qualified low-income buyer. The net result of this is that the Town's presumed inventory of 140 deed-restricted affordable units is actually only 137 units, although to meet the Commonwealth's 10% requirement the Town will need 279 units.

The new DHCD deed rider (which is now being used at 32 Carter St.) states that if no income-eligible purchaser can be found then the unit can be sold to a non-income-eligible buyer, but at the deed restricted price. However, the deed restrictions will still apply and the unit will stay restricted with a limited price upside for the new homeowner.

Lancaster resident Kendra Dickenson asked about the process for finding eligible buyers for the Town's SHI units. Chair Petracca explained the process and the job of the monitoring agent. She noted that CHAPA is the agent for some units in Lancaster and DHCD is the agent for others.

Trustee Read was pleased to announce that the owners of 32 Carter Street have found a new house to buy. She reviewed the history of 32 Carter St. with Trustee Kerrigan, especially the existing deed rider. The existing deed rider did not comply with DHCD's requirements so DHCD does not consider the unit to be an official part of Lancaster's SHI. The new deed rider will allow the unit to be put on the Town's SHI.

Chair Petracca noted that the Harbor Homes project now being built at 2038 Lunenburg Road is still making slow progress towards construction.

Scheduled Appearances

None

Continued Discussion of 40R Zoning in North Lancaster

Chair Petracca discussed DHCD's concerns about the cap of 150 residential units in the MOA for the 40R zone. The Trust has already voted to cut the maximum density from 25 units per acre down to 20, which reduced the capacity of the zone from 209 units down to 165 units. Chair Petracca reviewed the density spreadsheet with the Board. She noted that if the 40R had a requirement for at least 10% commercial space, which she recommended the Board adopt, then the 165 possible units would drop to 146. Both Town Counsel and DHCD recommended this approach to ensure there is no discrepancy between the MOA and the bylaw.

Secretary Streeter moved to accept the proposed changes to the language of the bylaw as per the text of Sections 220-88 and 220-90 in the latest posted version; Trustee Read seconded the motion, and the motion passed on a 5-0 vote.

After a brief discussion,

Trustee Read moved to accept the proposed changes to the density spreadsheet and map of the proposed 40R zoning district as discussed; Trustee Kerrigan seconded the motion, and the motion passed on a 5-0 vote.

Chair Petracca announced that the Planning Board had scheduled a hearing on the proposed 40R district for June 8, which she will post as a formal meeting of the Trust. Chair Petracca reported on DHCD's eligibility letter. She noted that the Trust would be likely to have the letter in hand before the June 8 hearing, but it is not required to be issued in order to hold the hearing.

Chair Petracca stated that she had received Capital Group's comments on the MOA for the 40R district. Secretary Streeter noted that the MOU Committee had not yet received

Capital Group's comments on the MOU for the EZ rezoning and recommended that the Trust not review them separately as much of the language would be common to both of them and has not yet been approved by counsel.

Chair Petracca discussed the timeline for the Special Town Meeting (STM) to be held in the fall. She pointed out that the Planning Board had scheduled a hearing on the EZ rezoning change for June 13, which means the hearing deadlines for both that rezoning and the 40R proposal will now be roughly in sync. The Board discussed the process for the Planning Board hearing, especially in reference to continuances. Secretary Streeter pointed out that the Planning Board's responsibility is simply to hold a hearing and issue a report – they cannot change the text of the proposed article.

Lancaster resident Rob Zidek (103 Kaleva Rd.) asked about postponing the public hearing. Trustee (and Select Board member) Kerrigan stated that the Select Board would be following the appropriate process for putting forward zoning amendments. Trustee Hodges explained the hearing process to Zidek.

Discussion of Capital Group's proposed 40B project in North Lancaster

Chair Petracca reviewed the project's progress and the Trust's next steps in relation to it. DHCD has no deadline to respond and there is nothing for the Trust to do at this time.

Discussion of a FAQ for development projects in North Lancaster

Chair Petracca discussed Town Administrator Kate Hodges' ideas for a FAQ and circulated a draft for comments. Trustee Williams suggested making up separate FAQ's for different projects to help keep them straight in people's minds, for instance one on general affordable housing questions, one for the 40R project, and another for the Town's 40B projects. Chair Petracca asked for comments and suggestions as soon as possible. Ideally she will be able to produce a second draft incorporating those comments over the weekend. Lancaster resident Rob Zidek would like to see a separate FAQ for each project containing affordable units to be constructed in Lancaster.

Discussion of the former Jones Crossing

Chair Petracca updated the Board about the ZBA's May 26 meeting about the former Jones Crossing project. The ZBA did not ask for substantial changes from the previous permit. The project still needs Board of Health approval for the new septic system design and Conservation Commission approval concerning the neighboring wetlands.

Chair Petracca briefed the Board on the process for the development to get SHI credits. Given the long history of the project the Town will not receive SHI credit for the units until the building permits are issued. She was unable to estimate when that might be, but probably within 12 months once all other permits have been received.

Discussion of 213-219 Main St.

Chair Petracca reviewed the recent ZBA hearing concerning the project, which is being done by Safi Brothers under the name Cleveland Circle LLC. The ZBA has supported the

requirements of the inclusionary zoning bylaw. The Town's Building Inspector, Brian G, recommended that the Trust may wish to propose a definition of alteration for the bylaw.

Public Comment

Lancaster resident Kendra Dickenson (402 Oetman Way) praised the Trust for its efforts to work with developers to help them comply with the Town's bylaws.

New Business

None

Communications

Chair Petracca encouraged the trustees to attend Mass Housing Partnership's Housing Institute. This year all sessions are available free on Zoom and will be held on June 7 and 8.

The Planning Board will hold a hearing on the proposed 40R zone on June 8 at 7 PM via Zoom. It will be noticed as a meeting of the Trust. Other than this hearing, the next scheduled Affordable Housing Trust Meeting will be on Thursday, July 7, 2022 at 7 P.M. via Zoom.

Adjournment

There being no further business to consider,

Secretary Streeter moved to adjourn the meeting; Trustee Read seconded the motion, and the motion passed on a 5-0 vote.

The meeting adjourned at 8:47 PM.

Respectfully Submitted,

Frank S. Streeter, Secretary