

Approved: September 22, 2022

**MINUTES OF THE PROCEEDINGS OF
THE LANCASTER AFFORDABLE HOUSING TRUST (“AHT”)**

Meeting conducted via ZOOM internet conferencing
Thursday, August 4, 2022

Present: Victoria Petracca, Chair
Carolyn Read
Debra Williams

Absent: Kate Hodges, *Ex Officio*; Stephen Kerrigan; Frank Streeter, Secretary

I. Call to Order & Administration

Chair Victoria Petracca called the Affordable Housing Trust (“AHT”) meeting to order over Zoom at approximately 7:04 PM and called the roll of the Trustees.

Zoom meeting link: <https://us02web.zoom.us/j/82916309704> Meeting ID: 829 1630 9704

Chair Petracca noted under “Administration” that Trustee and Town Administrator Kate Hodges is researching how best to update the Trust’s current member list at the Worcester Registry of Deeds.

II. Approval of Meeting Minutes

As indicated on the Agenda, the Minutes noted will be reviewed at the August 18, 2022 meeting.

III. Scheduled Public Appearance

Attorney Thomas Bovenzi and his client Mr. Mike DiPlacido appeared before the Affordable Housing Trust to introduce themselves and their proposed project, currently in its preliminary phase. The project site is the former Lancaster Golf Center previously in operation at 438 Old Union Turnpike near the Route 2 interchange. Attorney Bovenzi explained there are approximately 21 acres of land leftover from the solar field project, including a vacant building and approximately 17 acres of buildable uplands. He described existing wells that may be upgraded for future water to the project and that they are exploring an on-site wastewater treatment. Mr. DiPlacido holds the land under “Lot 1A LLC” as the sole owner. He and Attorney Bovenzi are exploring a 100-200 rental unit development through Chapter 40B. Mr. DiPlacido is working with Hannigan Engineering on site plans and Architect Edward Nunes on renderings and elevations. Mr. DiPlacido introduced himself and referenced his prior experience

in the town. Attorney Bovenzi and his client expressed interest in getting feedback from the Trust as their project advances.

Trustee Read expressed appreciation that the project was coming to the Trust in the early stages. Trustee Williams requested confirmation of the site area under consideration versus the solar project, and also the current zoning. Attorney Bovenzi clarified the area and Enterprise/IPOD zoning. Chair Petracca confirmed Attorney Bovenzi is familiar with the required bedroom count breakdown under Chapter 40B. She inquired whether mixed-use was being considered and Attorney Bovenzi indicated the plan is 100% residential at this time. Chair Petracca reviewed the MBTA requirement for Lancaster and possible interest of this site in that regard. There was brief of discussion of “friendly 40B” as a better outcome for everyone.

Resident Kendra Dickinson, 403 Oetman Way referenced a Bovenzi-related project in Leominster and asked how this relates to the proposed 40B, as well as the breakdown and scope. Attorney Bovenzi clarified the Leominster project is developed a by a relative and is not associated with his client.

Chair Petracca clarified the Old Union Turnpike proposal would require a minimum of 25% affordable units under Chapter 40B.

Resident Cara Sanford, 350 Bull Hill Road asked for clarification of the lot number which Attorney Bovenzi provided. Ms. Sanford referenced a nearby water protection easement on Lot 1 for future water supply. She then asked if the owner would consider an open space set-aside that is not already encumbered. Mr. DiPlacido indicated he would consider it.

Resident Rob Zidek, 103 Kaleva Road asked how water and sewer would be provided, as well as where the entrance would be located, and noted the site is located across from the D’Ambrosio Eye Care bus stop which he noted as positive. Attorney Bovenzi reiterated the current plan for water and sewer and that the site entrance is still under consideration with engineers.

There being no other questions/comments from the Trust or the public, Chair Petracca thanked Attorney Bovenzi and his client for their appearance, as well as their interest in returning for the Trust’s feedback as project materials become available.

IV. Updates to Subsidized Housing Inventory (SHI)

Chair Petracca reviewed the current level of recorded inventory in Lancaster: 137 units as of June 9, 2022 which is 5.385% of the Town’s +10% requirement based on 2010 Census data. Without any new production, this drops to 4.913% under 2020 Census data (now expected to be released in early 2023 per DHCD). The Town is short 142 units to just barely meet Safe Harbor at 10.007%. She also reviewed the need for greater units beyond merely Safe Harbor compliance.

In terms of active pipeline, the following sites were reviewed:

1. Capital Group 40R Smart Growth Overlay District project on Route 70 – 146 rental units toward the Town’s SHI. Next step is final confirmation of Memorandum of Agreement content. Trustee Williams expressed importance of clarify for public and also consistency with proposed 40R by-law.
2. Capital Group 40B alternative (200-unit application submitted (of which 50 count toward SHI) at rear of same site near White Pond Road – MassHousing Project Eligibility Letter expected.
3. MCO Associates on Deershorn Road – 32 units – still working with ZBA on modified Comprehensive Permit and Board of Health on revised septic system plans. Will need to file a Notice of Intent with the Conservation Commission.
4. Harbor Classic Homes on Route 70 proceeding slowly with project revisions and received confirmation that do understand two affordable unit requirement.
5. Mr. Safi on South Main Street proceeding with Inclusionary Zoning unit requirement for one affordable unit. Building Inspector conveyed the building permit cannot be issued until the affordable unit is approved by DHCD.
6. Existing affordable unit at 32 Carter Street is making its way onto Lancaster’s SHI. Trustee Carolyn Read relayed that new homeowner is expected sign P&S before end of August 2022 with the new deed rider, ensuring the unit is eligible to be recorded on SHI.
7. Trustee Carolyn Read gave an update on the vacant Memorial School as the Trust’s delegate to the Memorial School Re-Use Committee. The Committee is now only considering recreational use and possible demolition. There was discussion of whether this is the highest and best use of the property. Resident Dick Trussell, 15 Burbank, commented that the vacant school building may be needed for school overflow and the building should not be demolished. He asked that Carolyn Read request he be put on the agenda for the Committee’s next meeting.

V. Inclusionary Zoning

Chair Petracca discussed a suggested amendment from the Building Inspector to clarify when Inclusionary Zoning is triggered for rehab projects specifically. He suggested a threshold that is the same in the existing state building code. He suggested a trigger of “Level 3 Alteration” i.e. more than 50% of the building area is the work area as defined in the code. A building is typically unoccupied in this case. Trustee Read agreed this made sense and noted that if it has already been through, we could refer to this. Trustee Williams agreed. She clarified this is an amendment to the existing Inclusionary Zoning bylaw.

Chair Petracca followed up on an earlier request from a Resident that the Trust look into “Payment in Lieu” for rental projects (currently only an option for ownership projects). Chair

Petracca researched this question in Bolton and Stow where they have had Inclusionary Zoning longer than Lancaster and communicated with the respective Planning Directors. She learned that both have a form of Payment of Lieu for ownership units and that “if they had to do it over, they would not have Payment in Lieu at all.” They each suggested that if any amendment were made, it would likely be to remove Payment in Lieu as an option, and not to expand it. Chair Petracca understood given the difficulty to get affordable units delivered. Given this, Chair Petracca suggested not pursuing an amendment to expand Payment in Lieu to ownership projects. Trustee Read agreed.

VI. Public Comment

Resident Rob Zidek (103 Kaleva Road) provided comment re: Payment in Lieu as part of Inclusionary Zoning, dormant Comprehensive Permit for Goodridge Brook Estates 40B (Sterling Road), Capital Group’s 40R and alternate 40B proposals (Route 70), and Environmental Justice.

VII. New Business

None.

VIII. Communications

The next LAHT meeting will be held on Thursday, August 18, 2022 at 7 P.M. via Zoom.

Trustees discussed and opted to modify the September meeting schedule due to the Labor Day weekend. A meeting will be held on Thursday, September 8, 2022 and Thursday, September 22, 2022, both at 7 P.M. via Zoom.

IX. Adjournment

VOTE: There being no further business to consider, Trustee Read made a motion to adjourn, seconded by Trustee Williams. Motion approved unanimously (3-0-0)

Chair Petracca adjourned the meeting at approximately 8:19 P.M.

Respectfully submitted,

Victoria Petracca, Chair (in place of Secretary Streeter)