

Approved: June 1, 2023

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

Meeting conducted via ZOOM internet conferencing
Thursday, April 6, 2023

Present: Jason Allison
Kelly Dolan, *Ex Officio*
Victoria Petracca, Chair
Carolyn Read
Debra Williams

Absent: Frank Streeter, Secretary

I. Call to Order & Administration

Chair Petracca called the Affordable Housing Trust (“AHT”) meeting to order over Zoom at 7:01 PM and called the roll of the Trustees.

Zoom meeting link: <https://us02web.zoom.us/j/87933739342> Meeting ID: 879 3373 9342

Chair Petracca noted that Secretary Frank Streeter was unable to connect and will watch the recording of this meeting.

II. Approval of Meeting Minutes

VOTE: Trustee Read made a motion to approve the meeting minutes of February 2, 2023 and March 2, 2023. Motion seconded by Trustee Williams. Motion approved unanimously (4-0-0)

Chair Petracca noted she will post the approved minutes in the Secretary’s absence.

III. Scheduled Public Appearance(s)

1. John Cherubini, David Singleton, Christopher Alphen, Esq. re: 13 Neck Road (40B)

Chair Petracca noted this meeting was the Trust’s first introduction to this revised Chapter 40B project. She clarified that legislative allowances exist for projects submitted under Chapter 40B and that questions about this could be addressed following the presentation. She then invited Attorney Alphen to give his Powerpoint presentation. A copy of the presentation is posted on the Affordable Housing Trust webpage under the

tab “Baystate Investors, 13 Neck Road”; see PDF document “Neck Farm Presentation to AHT 4-2-23”.

Attorney Alphen gave an approximately 7-minute slide overview of the project including the development team, the site and surrounding area, design layout and size, architectural renderings, and next steps. The project consists of 11 total residential rental units of new construction in a farmhouse (7 units), barn (2 units) and cottage style building (2 units). The choice of building style is intended to reflect the surrounding historic neighborhood. 3 of the units are deed-restricted affordable, 8 are market rate, and all 11 count towards Lancaster’s Subsidized Housing Inventory due to being rental housing. The next step is for the developer to submit the 40B application to MassHousing for a Project Eligibility Letter.

There was a question and answer session. The Trust provided feedback, followed by abutters and members of the public.

Trustee Read expressed her appreciation of the design for its integration with the neighborhood. She asked who would be in charge of the lottery and Fair Housing Marketing Plan. Attorney Alphen replied it would likely be Lynn Sweet of LDS Consulting. Trustee Williams conveyed she found both the design and rental model appealing, as well as the varied bedroom counts per unit. Trustee Dolan expressed her positive sentiments for the site layout. Trustee Allison stated he was still reviewing. Trustee Petracca expressed this was a positive transformation from the prior proposal several years ago. Chair Petracca also appreciated that this was a rental proposal. Chair Petracca noted it appears abutters are not facing the exterior wall of barn along Neck Road which is a plus. She noted the 3-bedroom affordable unit is noticeably smaller and this needs to be addressed. Traffic flow and egress, along with parking, may need to be studied more closely. She noted the intersection and being mindful of children in design. The Trust received a copy of a January 5, 2021 letter from the Lancaster Historical Commission regarding the demolition of a former historic property onsite, and Chair Petracca asked if perhaps the effort for historic recognition in the design could go further. She would also like to see a lower Area Median Income threshold, if possible, instead of simply meeting the letter of the law at 80%.

Trustee Allison requested clarification on the setbacks. Attorney Alphen confirmed there will be a 40B waiver request for setback requirements. Allison asked for clarification on the total parking spaces; 21 parking spaces. He asked for a total count of potential residents at the site; approximately 40 people. He asked for more information regarding connecting to town sewer. The developer will need to resolve this issue.

The meeting then turned to public comment. Resident Win Clark, 923 Main Street, noted the positive design. Expressed public safety concern for 3-foot setback on Neck Road.

Resident Heather McCauley, 659 Main Street, asked for clarification on process and purpose of meeting. Chair explained it is an opportunity for the AHT and the neighborhood to become familiar with the proposal. Resident expressed concern for how Main & Center Bridge traffic flow will work.

Resident Martha Moore, 131 Center Bridge Road, stated her primary concern was the size. She also referred to the nearby train that interrupts traffic flow, as well as 3-foot setback. Commented on the proposal's good aesthetic design for district. Concerned with limited sewer capacity for the project.

Resident Greg Wilson, 2 Neck Road, asked why there was no meeting notification sent to neighbors specifically. Concerned that renderings do not accurately represent width and existing conditions along Neck Road. Shows a wide swath of plantings and trees, yet barn is shown 3 feet off the road on engineering plans. Also concerned Neck Road may not be as wide as represented. Questioned if there is sufficient water pressure for proposal.

Resident Kendra Dickinson, 402 Oetman Way, asked if there would be a fire suppression system for the 7-unit building. Proponent confirmed proposal will be complaint with fire code. Resident asked about potential traffic study. Expressed concern regarding density and setbacks. Attorney Alphen explained increased density over local zoning is allowed under 40B to render projects economically viable.

Resident Sebastian (Sam) Malatos, 24 Neck Road, stated concerns regarding resident notification, as well as volume and size of proposal. Concerned his residence will be facing the designated parking area. Also concerned with 3-foot setback.

Resident Jennifer Frommer, 648 Main Street, concerned with traffic flow and parking in neighborhood, both on-site and on adjacent streets. Commented on positive aesthetic design.

Resident Joe D'Eramo, 127 Harvard Road, concerned renderings are not accurate. Cited barn building setback vs 30-foot town bylaw, leading to a safety concern for site lines and the ability to see approaching vehicles. Cited excessive density. Concerned existing site referred to as multi-family. Concerned with fire suppression versus water pressure.

Resident Ralph Gifford, 861 George Hill Road, loves the concept and understands need for more housing, however would like to the proposal moved to South Lancaster where there are many more multi-family properties and closer proximity to groceries and other services. Would like to see vehicle charging spaces.

Resident Heather Lennon, 294 Nicholas Drive, stated the prior property was not a multifamily structure. Referenced the demolished Dr. Calvin Carter home. Concerned with lack of parking and children's play area, as well as traffic flow. Referenced historic

garrison house across the street as a good potential source for designing this site. Would like to see smaller project.

Chair Petracca clarified the meeting recording would be sent to Sterling Lancaster Cable TV and Town Hall Streams online.

Chair Petracca asked for clarification regarding handicapped accessibility. Noted parking includes 2 handicapped spaces and that units on ground floor are described as accessible for mobility-impaired, but she asked whether project provides any additional provisions beyond this. Attorney Alphen clarified it is likely simply ADA compliant, but can get more information from architect.

Resident Linnea Lakin Servey, 1394 Main Street, via chat stated the former structure had a rental unit on the second floor.

Resident Jennifer Poulin, 43 Neck Road, via chat concerned that 3 cement walls are not shown. Questions how trash and snow removal will work.

Chair Petracca summarized next steps with Attorney Alphen. Developer will submit application to MassHousing and send a copy of filing to AHT. Chair Petracca explained the Town will have a public comment period from MassHousing. If the agency issues a Project Eligibility Letter, then the Zoning Board of Appeals will next open a Comprehensive Permit hearing where there will also be public comment.

IV. Housing Production Plan 2020-2024

1. Chair Petracca stated the Town's current Housing Production Plan (HPP) expires on March 10, 2024. An approved and current HPP is a state requirement for municipal Safe Harbor status. Chair Petracca conveyed the need to be pro-active before 2024 expiration date and that Trust had reached out to Montachusett Regional Planning Commission (MRPC) and MetroWest Collaborative Development for ballpark quotes. MRPC will cost approximately \$14,840. Still waiting on MetroWest. This agency mentioned a preference for a collaborative approach of doing the update together with the Town. Trustee Read would ideally like other quotes, possibly other consortiums can bid. Chair Petracca stated the work should be done by year-end in order to then be reviewed and approved by Planning Board, Select Board and MA Department of Housing and Community Development (DHCD), all before March 10, 2024. Chair Petracca to follow up on next steps with Town.

Resident Dick Trussell, 15 Burbank Lane, asked for clarification on how the update is funded. Chair Petracca has alerted both Town Administrator and Director of Community Planning and Development of the need for HPP update and process gathering bids, and this has been received. The exact source of funding has not yet been communicated.

V. Updates to Pipeline

32 units on new “Cottage Lane” (off Deershorn Road) have received necessary approvals, including septic permits from Board for Health and Order of Conditions from Conservation Commission. Building permits have been issued for most units and the remainder are forthcoming. Town can begin to submit 32 units to the state for Subsidized Housing Inventory credit.

In other updates, the Town is waiting on the MA Attorney General’s Office approval for the 40R District bylaw passed at special town meeting. Regarding Cleveland Circle LLC rehab project on Main Street, the developer submitted a Local Action Unit application via Maureen O’Hagan, a licensed lottery agent and fair housing marketing plan consultant. The AHT just received this for review and the Chair will forward to the Trustees.

Trustee Williams provided a brief update on DCAMM site (Old Common Road). The Town Administrator will discuss new legislation at town meeting under the corresponding warrant article.

VI. Updates to Existing Subsidized Housing Inventory

An affordable unit previously announced for sale at Blue Heron (off High Street Extension/Route 110) is still available. The monitoring agent, CHAPA, received only one application. Trustee Dolan asked if CHAPA had received any other inquiries. Trustee Read suggested it is possible that the marketing required on a resale maybe not be as robust as for the initial sale.

VII. Recommended Bylaw Amendments for Annual Town Meeting (May 3, 2023)

The Accessory Dwelling Unit (ADU) amendment is now included in the draft version of the Town Meeting Warrant as Article 11.

The Inclusionary Zoning (IZ) amendment needs to be further reviewed by town counsel. For review, the Building Inspector would like a more easily identifiable threshold for IZ concerning rehabilitation projects. Town counsel recently reviewed IZ with Town via Zoom, including Building Inspector and AHT Chair. Counsel explained the applicability intent for IZ is typically for “net new units”. Counsel not aware of a local municipality in MA using IZ beyond net new units. Reaching beyond net new units may become a disincentive to rehab projects. AHT Chair recommended net new units to be consistent with the new construction part. (The Building Inspector has clarified that the Cleveland Circle LLC rehab on Main Street is all net new units because of a lapse in use.) Counsel also raised a question in its review about protection from IZ work-arounds: while the bylaw does contain language regarding subdividing with a 10-year lookback, it needs to be stronger to “pierce the veil”. A third tweak concerns the need for stronger language that until DHCD has approved the unit, IZ approval can not be granted. AHT recommends waiting until the Fall special town meeting in order that these three areas be addressed in the amendment. Trustee Read commented that the Regulatory Agreement should be recorded prior to permitting.

VIII. Approval of Annual Town Report Submittal

Chair Petracca circulated a draft version of the AHT's 2022 activity for the Annual Town Report.

VOTE: Trustee Read made a motion to approve the draft circulated. Motion seconded by Trustee Williams. Motion approved unanimously (4-0-0)

IX. Public Comment

Resident Dick Trussell, 15 Burbank Lane, asked whether the Trust needed to vote to move the Inclusionary Zoning bylaw amendment article to the Fall. Although this amendment was initiated and worked on with the AHT, it is a Planning Board sponsored article and postponing it to the Fall does not require a vote from the AHT.

X. New Business

The Local Action Unit application that was recently received after the Agenda was posted was included under "SHI Pipeline Updates." This application regards the Cleveland Circle LLC rehab project on Main Street across from Atlantic Union College. The Chair will circulate this to the Trustees for review.

The Chair recently received an interview request via email from WPI students working on a study of "proposed warehouses" on Route 70 on the Capital Group site. She declined via email as the AHT does not comment on non-housing proposals specifically and wished the group well.

XI. Communications

The next two scheduled AHT meetings will be held on Thursday, July 6, 2023 and Thursday, August 3, 2023, both at 7 P.M. via Zoom.

A "Candidates Night" for the upcoming town election will be held on Tuesday, April 11, 2023 in the Nashaway Room of the Prescott Building and simultaneously via Zoom from 6 P.M. to 8 P.M. Annual Town Meeting is scheduled on Wednesday, May 3, 2023 at 7 P.M. at Mary Rowlandson Elementary School. Annual Town Election will be held on Monday, May 8, 2023 with voting between 7 A.M. to 8 P.M. in the former Town Hall.

XII. Adjournment

VOTE: There being no further business to consider, Trustee Read made a motion to adjourn, seconded by Trustee Williams. Motion approved unanimously (4-0-0)

Chair Petracca adjourned the meeting at approximately 8:44 P.M.

Respectfully submitted,

Victoria Petracca, Chair (in place of Secretary Streeter)