

Affordable Housing Trust
January 20, 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

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

To start the meeting, Chair Petracca introduced Jasmin Faranacci, Lancaster's new Director of Community and Economic Development, informally known as the Planning Director. The Trustees warmly welcomed Ms. Faranacci and congratulated her on her new position. Chair Petracca presented Ms. Faranacci's background and asked her to say a few words.

Ms. Faranacci discussed her history of land use work, starting with her work in Wareham where she worked on affordable housing issues including a friendly 40B proposal and the start of work on a 40R zone. She also worked in Bridgewater, which is a more highly developed community than Wareham and is well above the 10% threshold for affordable housing, where she monitored the existing stock of affordable housing. She is very excited to come to work in Lancaster and looks forward to working together towards common goals. She specifically wants to increase communication between Town boards.

Chair Petracca asked Ms. Faranacci for her thoughts on Lancaster's existing Master Plan, which is now 15 years old. Chair Petracca feels it needs to be updated and Ms. Faranacci strongly agreed. Each of the Trustees then individually welcomed Ms. Faranacci and introduced themselves.

Approval of Meeting Minutes

None

Updates to Lancaster's Subsidized Housing Inventory (SHI)

Trustee Read updated the Board on the status of 32 Carter Street. Trustee Read approached the homeowner who has agreed to sign the updated version of the deed rider, which would allow 32 Carter St. to be formally added to Lancaster's affordable housing inventory. Trustee Read will arrange for the required notarized signature and will forward the rider to DHCD once it has been signed.

Chair Petracca briefed the Board on the Harbor Homes project now being built at 2038 Lunenburg Road. She referenced the letters she has sent to the Planning Board and to the developer's attorney. There has been no change since last meeting. After a brief discussion the Board agreed to keep every development being built with affordable units on the Board's agenda for every meeting, even if there is no material update available. The thought is that this will serve as a reminder to the Board and to keep these projects in the public eye even though they may not be making progress at the immediate time.

Scheduled Appearances

None

Continued Discussion of 40R Zoning in North Lancaster

Chair Petracca updated the Board on the Select Board's hearing on January 19th. The entire Board thought Chair Petracca did an excellent job with the presentation. Chair Petracca reviewed the letter the Planning Board had submitted with their comments on the 40R proposal. Their first concern was the number of units that could be built in the zone as a matter of right, about 674, and the number that could be built if all existing uses (gas station, soccer fields, etc...) were removed, which is estimated to be about 1132.

Chair Petracca noted that the Town's contract with MRPC for Karen Chapman's services had ended on December 31. She will reach out to Interim Town Administrator Jeff Nutting about extending the contract. After a further brief discussion,

Secretary Streeter moved to request that the Select Board extend MRPC's contract so they may continue to assist the AHT; Trustee Moody seconded the motion, and the motion passed on a 5-0 vote.

Chair Petracca will reach out to Ms. Chapman to request an estimated budget for her services.

Points #2 and #5 of the Planning Board's letter were concerns about adequate infrastructure to serve the needs of the proposed 40R zone. Chair Petracca noted that DHCD has informed her that the current plans for infrastructure serving the site are sufficient for DHCD's preliminary approval. DHCD has been provided with the water agreement Capital Group negotiated with the City of Leominster and information about the proposed sewage treatment plant being built to serve the development. Chair Petracca reminded the Board that DHCD would not release any of the 40R incentive money unless and until the necessary infrastructure has been completed.

The Planning Board also inquired about the issue of segmenting development proposals to avoid some of the 40R requirements, especially to do with affordable housing. The Board noted that there is an explicit requirement for at least one affordable unit for every development of six units or more, and that the economics of repeated five unit projects were probably not desirable. Nonetheless Chair Petracca will see if she can find existing language elsewhere in the Town's zoning code to address this issue, possibly in the new

inclusionary zoning bylaw. Secretary Streeter suggested contacting either Town Counsel or Planning Board Chair Russ Williston for recommended language to include.

In their letter the Planning Board repeated their opposition to the Plan Approval Authority (PAA) as set out in the proposal. The letter noted that the Economic Development Committee (EDC) was a temporary committee, and thus unsuitable for having a member on the PAA, but Chair Petracca reminded attendees that the Select Board had recently made the EDC a permanent committee. She noted that the 40R proposal maintains the existing role of the Planning Board for stormwater management plans and that the rules for a 40R district do not affect the role of the Conservation Commission in reference to wetlands and permits in any way. After a brief review the Board agreed to maintain the PAA as is.

DHCD is strongly in favor of a Memorandum of Agreement (MOA) for the 40R district, as long as it does not restrict housing in any way. This includes limiting the number of bedrooms per unit or any restriction on occupants, for instance over 55 years old. However the MOA can specify a local preference for the affordable units.

While it was mentioned in the Planning Board's letter, the Board has already cut out all references to marijuana in the 40R use regulations.

One of the concerns expressed at the Select Board hearing was traffic, especially in reference to the possible maximum buildout of the site. Chair Petracca noted that there is a provision for studies and peer review in the existing proposal, but the Select Board wanted to see something more explicit, which the Planning Board agreed with. After the Select Board hearing Planning Board Chair Russ Williston sent Secretary Streeter a copy of section 220-38.2 of Lancaster's zoning regulations, which addresses the need for traffic studies. Secretary Streeter recommended a few changes to the text so it referred to the PAA and not the Planning Board. The Board discussed this and

Trustee Moody moved to add the modified text of 220-38.2 as discussed to the proposed 40R bylaws as a new Section H, and to renumber all subsequent sections; Trustee Read seconded the motion, and the motion passed on a 5-0 vote.

After a comment from Lancaster resident and astute observer Dick Trussell (15 Burbank Lane) about confusion between the motion adopting the language from 220-38.2 and the changes made to that language before adopting it,

Trustee Read moved to accept the text of 220-38.2 as amended; Trustee Williams seconded the motion, and the motion passed on a 5-0 vote.

Chair Petracca asked the Board for their thoughts on the current size proposed for the 40R district and if they shared the Planning Board's concerns that it is too large. The Board agreed with MRPC's existing guidance and did not make any changes.

Chair Petracca reported that she had not yet received comments from Town Counsel about the draft MOA due to the Town's change in representation. She has been in touch with Christopher Heep, who is the head of the land use practice at Miyares & Harrington, the Town's new law firm. Chair Petracca has spoken with him and he will have comments on the draft soon. He feels the MOA for the 40R district should be separate from any agreement the Town works out with Capital Group pertaining to their development of the back land that is outside of the proposed 40R zone.

The Board then discussed the draft guidelines for the new MBTA zoning requirements. As an MBTA-adjacent community (both Shirley and Leominster are considered to be MBTA communities) the Town is required to have a multi-family housing zone of at least 50 acres that can accommodate at least 750 units at a density of at least 15 units per acre. The Board discussed various options for meeting this requirement, including if the 40R zone would meet them, either as configured or with relatively minor modifications.

The Planning Board is working on this issue as well and will be preparing the various initial filings with Ms. Faranacci. Chair Petracca will submit a public comment to DHCD about the lack of any affordable housing requirement for MBTA zones, as well as the huge number of units required, which in Lancaster's case would be an increase of over 25% of the Town's existing housing units of all types.

Public Comment

Lancaster resident Dick Trussell (15 Burbank Lane) asked if all new construction in the new MBTA zone would be subject to the Town's existing inclusionary zoning requirements. Chair Petracca stated that she believes that is the case, and she noted that the AHT's role in any MBTA zone(s) would be limited to affordable housing only and that everything else would go through the Planning Board.

In a long and wide ranging comment, Lancaster resident Greg Jackson (40 Farnsworth Way) stated that he was opposed to the creation of the proposed 40R zone and wants the Town to pursue other sites to develop affordable housing the Town's affordable units are not all concentrated in one place. However he did not identify any sites in Lancaster that are presently available for building affordable housing, especially any site(s) that could accommodate the 150 units needed.

North Lancaster resident Anne Ogilvie (4 Turner Lane) asked for documents concerning the 40R zone, including trail access. She also asked how the size of a 40R zone is determined. She expressed her preference for affordable housing to be built elsewhere in Lancaster, but also did not identify any available sites.

New Business

None

Communications

Chair Petracca reminded the Board of the dates of Capital Group's next presentation about their project, "The Landing" on the topic of Economic Impacts on Wednesday,

February 9, 2022 at 6 P.M. via Zoom

The Memorial School Re-Use Committee will meet on Wednesday, February 16, 2022 at 7 P.M. via Zoom

The next two scheduled Affordable Housing Trust Meetings will be held on Thursday, February 3, 2022 at 7 P.M. via Zoom, and on Thursday, February 17, 2022 at 7 P.M. via Zoom.

Adjournment

There being no further business to consider,

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

The meeting adjourned at 9:11 PM.

Respectfully Submitted,

Frank S. Streeter, Secretary