

**TOWN OF STOW  
STOW MUNICIPAL AFFORDABLE HOUSING TRUST (SMAHT)**

Minutes of the February 7, 2018 SMAHT meeting

SMAHT members: Ingeborg Hegemann, Mike Kopczynski, Quince Papanastassiou, Cynthia Perkins, Laura Spear

Housing Consultant: Leonardi Aray

Community Preservation Committee Chair: Cortni Frecha

Conservation Commission Coordinator: Kathy Sferra

**Call to Order**

The meeting was called to order at 7:06 PM.

**1. Meeting Schedule**

March 14, 2018

April 11, 2018

**2. Minutes Review & Approval**

Quince moved to accept the minutes of the January 18, 2018 meeting, Cynthia seconded, and the motion was approved unanimously.

Quince moved to accept the minutes of the January 18, 2018 Executive Session meeting, Cynthia seconded, and the motion was approved unanimously.

**3. Correspondence, Bills and payments**

Cynthia moved to approve to pay the invoice for Leonardi Aray Architects: invoice #160708 for 1,920.00, Quince seconded, and the motion was approved unanimously.

The Trust received a copy of an application for a Special Permit to be permitted by the Planning Board. The specific request was to stockpile fill and equipment and was not relevant to affordable housing.

**4. Trustee Reports**

The Trust received a copy of a Department of Housing and Community Development (DHCD) letter to the Planning Board regarding the Regency of Stow Active Adult Neighborhood. The Local Action Unit program was rejected by DHCD as DHCD stated that 55+ neighborhoods cannot restrict children. Additionally the term "Active Adult" was viewed as discriminatory against people who may be disabled. However, this development has been in process since 2006. Additionally, the Arbor Glen Active Adult development had been accepted previously by DHCD, and no policy changes were posted or published since then. The Planning Board sent a detailed letter in response, and DHCD relented. The Local Action Unit program is now approved.

Ingeborg arrived at this time.

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The Town Planner asked the Trust if we would like a table at the Housing Fair on April 5 at the Pompositticut Community Center. The Trust is interested in sharing a table with the Planning Board.

The Town Clerk sent out an Ethics and Open Meeting Law reminder.

Laura attended the January meeting of regional housing coordinators.

Quince attended a meeting with abutters on February 3 in regards to the acquisition of a large open space parcel off Red Acre Road with the potential for a small development of affordable housing. The meeting was sponsored by Bob Wilber of the Stow Conservation Trust and the Conservation Commission Coordinator, Kathy Sferra. Quince thought the meeting went as well as could be expected and that Bob and Kathy did a great job presenting the opportunity. Everyone who attended was supportive of the concept of 4-6 affordable units. The biggest issue was in regards to how the abutters will know that there will be no more than 6 units. Would that be defined at Town Meeting? Other feedback included comments and questions about native plantings, no development by wetlands, no usage of lime fertilizer, the granting of easements, and public access to the open space. The parcel for development is about 4-6 acres, depending on the configuration. Kathy said she still needs to reach out to immediate abutters on either side of the driveway.

A letter to the editor about affordable housing was printed in *The Stow Independent* newspaper last week. The Chair received a lot of comments from people who were concerned that affordable housing activities were not being portrayed accurately. The Chair contacted the publisher of the local paper, who recommended an article about SMAHT in general with all of the activities that we have underway. The Trust agreed that was the direction we should follow.

#### **5. Pine Point project update**

Cynthia reported that the Zoning Board of Appeals (ZBA) Public Hearing for the proposed Habitat project was closed on February 5. The Executive Director for Habitat asked to close the hearing that night. Nashoba Health, representing the Board of Health, spoke to the information provided by an abutter's engineer and said that the Habitat plans meet regulations and that Title V compliance is probably approvable. Town Counsel asked about waiver requests to make sure the ZBA had all of the information they needed in order to make a decision about each. The ZBA has 40 days after the close of the hearing in order to issue the decision. Habitat will have another 20 days to respond. There could be appeals—by anyone, including Habitat—after the decision is made.

The SMAHT Chair shared the grant letter and agreement for Habitat, based on the motion that had been approved previously.

If Habitat appeals the decision, the Town would have to pay legal fees. SMAHT has paid for incremental legal fees to support the development of affordable housing projects in the past.

Cynthia said that the next Local Project Committee (LPC) meeting will discuss setting up the marketing plan.

## **6. Town-owned land development discussion**

### **a) Crescent Street**

The Trustees reviewed a memo for the Board of Selectmen to begin the process of exploring the municipal parcel on Crescent Street for affordable housing. The Municipal Building Committee recommended the parcel be used for affordable housing. The Trust discussed whether we should ask for control and custody at this year's Annual Town Meeting in light of potential abutter objections and the Red Acre Road project. We do not know the condition of the parcel and do not know whether it is buildable. The Chair does not want to invest in feasibility studies until the Trust has care and custody of the parcel. We could make the care and custody contingent upon this being buildable at Town Meeting.

Ingeborg made a motion to wait until a future Town Meeting before asking the Board of Selectmen for care and custody of the municipal parcel on Crescent Street, and Quince seconded. The motion carried with three Trustees in favor, one Trustee opposed, and one abstention.

### **b) Potential New Projects**

In addition to what was previously discussed, Leonardi presented a scenario for development on the Red Acre Road parcel. He commented that the location is about half a mile from the shopping center, which has higher density. Red Acre Road also has some smaller homes and hammerhead lots. There is a fairly long driveway to access the developed area of the parcel, which is fairly flat. Leonardi showed a concept with 3 duplexes (6 units total) with a 30' setback. From the road, none of the units would be visible. From the backyards of the existing homes, abutters may see one building. Each unit would have 2 parking spaces.

Discussion included the potential for cottage-style housing. The developable site needs to be defined first. Other potential discussed include 3-unit buildings, and units similar to housing on Red Acre Road that were developed specifically for affordable households (Red Acre Village). Triplexes now require water suppression systems. A development in Acton (Jones Field) on Martin Street will have 50 units but includes old farm houses that are being moved to the front. The lines echo the old buildings. We'll need to develop concepts for Town Meeting and review the finances. The Chair proposed having an advisory committee of abutters define criteria and guidelines for what can be built once we secure the land. Others were concerned that there wouldn't be any interest in serving on an advisory committee.

At the abutters' meeting last weekend, the expectation was set that concept plans would be presented prior to Town Meeting. Kathy tracked questions that were asked at the meeting, especially about the number of units, landscaping, accessibility for the open space, and making the property look nice again.

Leonardi brought up the possibility of flipping the driveway for immediate access to the developed area. It becomes more visible, affects abutting nonconforming lots, and is close to the abutter's well.

The total development cost, including land acquisition, is estimated to be about \$2.2M for 6 units. The funding gap would be just over \$1M or \$173K per unit.

Leonardi is being tasked to create two different concepts. These would be presented to the abutters before Town Meeting for feedback. Next steps: get updated appraisals for the open space and the developable parcel, create some concept plans based on input from the abutters,

and understand what easements would be included. Kathy has a list of specific tasks and timeframes that we can reference.

The Community Preservation Committee (CPC) assumes the Community Preservation Act (CPA) funding request would be about \$225K for the open space: \$225K minus the deposit from Stow Conservation Trust of \$22,500. The price of the developable land for affordable housing would be similar, but SMAHT would need to let the CPC know if we're interested in CPA funding. We'll need to know the appraisal and sketch of the parcel in order to make a decision, ideally for our next meeting; however, appraisals take 45-60 days. There is a survey of the perimeter, but a survey is not planned until after Town Meeting. However, the estimated parcel could be used for an appraisal. We could have a Town Meeting decision contingent upon an appraisal. Trustees should contact the Chair as soon as possible if anyone has questions before the next meeting.

Kathy was thinking that the conservation groups would ask for CPA funds that would include closing costs. The Trust will discuss at the next meeting whether SMAHT is concerned about spending \$200K of the Trust funds and getting Selectmen approval per SMAHT bylaws.

#### **7. Annual Report discussion**

The Chair drafted an annual report, and edits were provided. Ingeborg moved to accept the report as amended, Cynthia seconded, and the motion passed unanimously.

#### **8. Annual Town Meeting Warrant Article discussion**

Cortni reported that the CPC would like to see if we can take the existing deed restriction program, approved in 2003, and expand the use of the funding (\$250K) to include other programs like iSHOPP (the buy-down program for existing housing). The intent would be to make the funding more flexible and to fund housing up to 100% of the area median income.

The deed restriction program was presented at Town Meeting as a program to get units on the Subsidized Housing Inventory (SHI). Additionally, all of the supporting documents emphasize the benefit of having affordable deed restrictions on these units to meet the 10% affordability target identified in Chapter 40B. This requires the units to be on the SHI. Town Meeting could rescind the original deed restriction program and place the funds back into affordable unreserved account for use by the iSHOPP program.

SMAHT will hold on drafting an iSHOPP warrant article until we hear back from the CPC. Should CPC approve the iSHOPP program, the SMAHT Chair will work with the CPC Chair on drafting the warrant article.

We are not moving forward with the municipal parcel on Crescent Street per our earlier discussion.

We reviewed drafts of two bylaw proposals to:

- Reduce SMAHT membership from 7 members to 5 (Article 18, Section 3, Article Third)
- Modify the cap from \$200K to the current median value of a single-family unit in Stow Article 18, Section 3, Article Seventh)

Trustees discussed how to identify the source for the determining the current median value to be used as the indexed number. It may come from MAPC. Alternatively, we could set a higher cap, such as \$500K. The sense of the Trust was that we preferred an index, but there were too many uncertainties and challenges. The Trust agreed to propose a new cap of \$500K.

Cynthia left the meeting at this time.

Quince moved to accept the drafted bylaw change for Article 18, Section 3, Article Third, and to modify the drafted proposal for Article 18, Section 3, Article Seventh from \$200,000 to \$500,000. Ingeborg seconded, and the motion passed unanimously by all still in attendance.

**9. Adjourn**

Quince moved to adjourn, Ingeborg seconded, and the motion was approved unanimously. The meeting adjourned at 9:29 PM.

Respectfully submitted,  
Laura Spear, SMAHT member

*Laura Spear*  
*3/14/18*