

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

Minutes of the May 16, 2018 SMAHT meeting

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

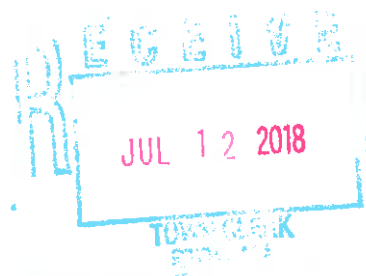
Housing Consultant: Leonardi Aray

Stow Conservation Commission Coordinator: Kathy Sferra

Stow Conservation Trust: Bob Wilber, President

Call to Order

The meeting was called to order at 7:05 PM.



1. Meeting Schedule

June 6, 2018

July 11, 2018

2. Minutes Review & Approval

Quince moved to accept the minutes of the April 11, 2018 meeting as amended, Cynthia seconded, and the motion was approved unanimously.

3. Correspondence, Bills and payments

SMAHT received a bill for Stow's portion of the cost of food for the Housing Fair. The Trust agreed that payment should come from the regional housing services budget, approved at Town Meeting as a line item in the municipal budget—not from the Trust funds.

4. Trustee Reports

Housing Fair: Ingeborg mentioned the favorable coverage from the Maynard Beacon-Villager newspaper after the fair.

Cynthia provided updates about the Habitat project: The Zoning Board of Appeals (ZBA) granted the comprehensive permit by a vote of 3-2 but did not grant the waiver requested for meeting local Title V regulations on the size of the leaching field. The state requires a leach field for 100% estimated flow. Stow requires 150%. Habitat appealed the 150% condition with the Housing Appeals Court, which suggested arbitration. Town Counsel and Habitat's Counsel were to meet today as part of the arbitration. Eight hours of free mediation time is provided. In the meantime, Habitat's engineer is looking into a design for another septic plan that could meet the 150%.

The ZBA also sent Habitat a bill for Town Counsel's services in the amount of about \$3800, stating "an additional invoice may be forthcoming." Case law research indicated that there was a precedence that Town Counsel fees are not covered by "consulting fees." Ironically, it was the current Town Counsel who successfully argued that a developer should not have to pay a Town's legal bill for a comprehensive permit. Habitat's Counsel still needs to reply to the ZBA.

SMAHT Minutes, May 16, 2018

Approved 7/11/18

Ingeborg asked about the process. The timeframe for appeals has ended, and only Habitat has appealed. Now that the appeal is in mediation, how do abutters and neighbors become aware of what results? This is unknown.

The next regional housing services meeting is Monday, May 21, at 10 AM in the Hudson Town Hall.

The next regional housing coordinators meeting (an informal network) is this Friday, May 18, from 8:30- 10 AM in the Acton Town Hall. All are invited.

Leonardi sent out a message about the House Zoning and Housing Initiative, a package of housing-related bills at the state level. The bills include a variety of proposed legislative changes, including mandating multifamily housing in every municipality, having a majority approval for zoning changes, creating easier support for access apartments, and encouraging smart growth/compact development, among others. Some think this could step on home rule, as it makes it easier for developers to proceed without town oversight and control. It would be helpful to extend the Chapter 61 right of first refusal beyond 120 days. The objective of the initiative is to provide housing to meet not only the large unmet demand for housing but to support future economic growth.

iSHOPP (Stow Housing Opportunity Purchase Program): Leonardi provided an update to the program. He had to redo the calculations as affordability income levels increased this spring. A family of four now has an affordability income limit of \$81,100. Leonardi proposed eliminating the one-person level for the program. The maximum that a one-person could pay for a home would be about \$150,000. Discussion addressed whether it was "fair" to remove the one-person applicant from the program. However, the subsidy would have to be close to \$200,000. We may need to justify to DHCD why we would remove a one-person applicant.

Leonardi reviewed the grant and sale price guidelines for 2- and 3-BR homes. Real estate taxes would be based on the affordable price, not the sales price (market rate), triggered by the deed rider. The assessors would need to update the house value to reflect the affordability level. We have about \$250K available as part of the approved deed restriction program, funded by approved Community Preservation Act (CPA) funds. We can plan for one grant and go from there.

Assets are limited to \$75,000 by law and include savings, other real estate holdings, trusts, and other criteria as defined by the state.

The Trust further discussed the one-person household. Some members do not want to exclude the opportunity for a low-cost unit, even if it were a two-bedroom unit for one person. We would be putting a deed rider on the unit for future buyers as well. There are some units in Stow that are in the \$200,000 range, but we don't know what condition they are in. Repairs add complications. Leonardi recommends giving a grant sufficient enough to buy a house with minimal repairs. DHCD will have to approve the repairs before putting on the ~~DHCD~~ SMAHT. SMAHT would pay for the repairs under a rehabilitation program after the close. Mass Housing also offers a rehabilitation program.

Next steps:

- Leonardi will add a one-person household and review all of the calculations.

Subsidized
Housing
Inventory.

SMAHT Minutes, May 16, 2018

Approved 7/11/18

- Everyone should review the tasks in the hand out.
- As the program was approved by the CPA and by Town Counsel as part of the pre-approved deed restriction program, Leonardi will have an initial conversation with DHCD this summer.
- Laura will reach out to the Community Preservation Committee again to remind them that we need something in writing to confirm approval of the program.

Leonardi reminded the Trust this his contract is up for renewal in June.

5. Kunelius Land

Kathy said that the Planning Board endorsed that evening the Approval Not Required plan, subdividing the Kunelius parcel.

A question was asked about the 7.71 acres for Lot 1A, as the size differs from what the Trust had originally expected. Is the developable portion of the parcel still able to support up to six units? The thinking is that the developable area would likely support the six units of housing and that we could use the portion of the parcel going out to Tuttle Lane for water and septic. However, we would not be able to use the conservation land parcel for water and septic, although the Town could have a municipal well there. A previous development proposed 30 units, so 6 units should be buildable.

Quince was authorized to sign the MOU and has not signed it yet. Kathy said that no one has signed it yet.

A question was asked about a 12' easement off of South Acton Road with a 15' right of way that is very old. This has nothing to do with the parcel for SMAHT.

The Purchase and Sales (P&S) agreement didn't mention SMAHT. Does it need to? If SMAHT is paying directly to the owner, then it should be on the P&S. Town Counsel recommended two separate deeds at the closing. However, the Town of Stow is buying the property on behalf of two different Town entities. The feeling is that if the Town is purchasing the property, then SMAHT does not need to be listed on the P&S.

Patti McArdle, an attorney acting at the request of Town Counsel, will be recording the deed. Quince offered to be the SMAHT representative for the closing and whatever else needs to be done. Once the deeds are final, the Board of Selectmen will accept them, scheduled for the meeting on May 22, and sign an acceptance page on the deeds.

Does the Trust need to record anything? Not sure if we need to record the easement. Patti may take care of this as part of the closing.

If we vote tonight to authorize the deed for Lot 1A, then we can send an attested copy of the minutes as needed to Patti.

To cut a check, Julie Costello, the Town Accountant, said she needed a settlement statement. Kathy contacted her, and Julie needs a copy of the P&S, which she has. We now need to issue a formal check request (a form) to the Town Accountant. She has everything else she needs.

Quince moved to accept the language of the deed for Lot 1A, Ingeborg seconded, and the motion passed unanimously.

Quince moved to convey the Trail and Utility Easement document, Cynthia seconded, and the motion passed unanimously.

It was noted that all Trustees need to sign the Trail and Utility Easement in front of a Notary Public. Laura will notify the Town Clerk and leave a copy of the document in the Town Clerk's mail slot. The Trustees should sign the document by Tuesday, May 22, and contact the Town Clerk if they cannot stop by during regular office hours.

Cynthia moved to authorize Quince to represent SMAHT at the closing and for signing any closing-related documents, Ingeborg seconded, and the motion passed unanimously.

Ingeborg moved to authorize Quince to issue the check request with the Town Accountant, Cynthia seconded, and the motion passed unanimously.

Kathy said that there will be closing costs and there was a title issue. The parcel had a Chapter 61 assignment to Trust for Public Lands, and Trust for Public Lands released it. That hurdle was cleared.

Additionally, through the CPA appropriation approved at the Annual Town Meeting in May, the Conservation Commission is covering all closing costs. SMAHT only needs to pay the \$225K purchase price for Lot 1A.

Also, as of May 31 (expected closing date), SMAHT will own the Lot 1A parcel. It contains multiple structures, and not all may be in safe condition. Kathy recommended that SMAHT have a conversation with Maureen Trunfio in the Board of Selectmen's office about insurance coverage. Quince also proposed asking the Fire Department if they would like to do a controlled burn exercise on the parcel.

7. Adjourn

Quince moved to adjourn, Cynthia seconded, and the motion was approved unanimously. The meeting adjourned at 8:27 PM.

Respectfully submitted,
Laura Spear, SMAHT member

Laura Spear
7/11/18