

HAMILTON DEVELOPMENT CORPORATION

MINUTES OF MEETING

May 17, 2017

Members Present: Bill Gisness, Anthony Nickas, and President, Brian Stein

Coordinator: Dorr Fox

This meeting was called to order by Brian Stein at 7:30 am with a quorum established.

Warrant

Motion to approve the Warrant HDC 17-23 in the amount of \$3,492.88 made by Bill Gisness.

Anthony Nickas seconded.

Vote: Unanimous to approve.

Minutes

Brian Stein made motion to approve the April 26, 2017 minutes.

Seconded by Bill Gisness.

Vote: Unanimous to approve.

**59 Willow St. Request for Proposal (RFP)**

Brian Stein recalled that he had attended the Affordable Housing Trust (AHT) meeting where he explained the proposal from Harborlight. It was understood that there needed to be another site to make the two-site proposition happen. Dorr Fox said the AHT were reacting to the Board of Selectmen meeting and talking about what direction they wanted to go in the future. Michael Lombardo asked if they wanted to disband, but the group did not. The AHT was looking for other sites and creating a list of criteria based on smart growth principles. The AHT still only had Longmeadow, 13 Essex St., and Gordon Conwell sites in the basket. Andrew DeFranza talked about looking at the landfill site, but financing might not be available and it might not be marketable.

Andrew DeFranza reportedly said a 15 to 20 unit development would work in tandem with the Willow St. site. Brian Stein thought the Town Manager and Selectmen were in favor of affordable housing despite the neighborhoods not wanting it. Mr. Stein suggested having smaller projects that would delay indefinitely an unfriendly 40B. In the next ten years, a colossal project could happen if nothing happened through the AHT. The Corporation agreed that young families and seniors needed a place to live.

Members of the Corporation reviewed the Request for Proposal response and noted there was a contingency that the septic and stormwater systems were feasible. Another contingency was that Andrew DeFranza could find another site to pair with the Willow St. site. Mr. DeFranza moved the building closer to Railroad Ave., leaving open space behind the neighboring housing in direct response from the neighbors. The building was not as large as was originally proposed.

Another contingency set by Andrew DeFranza was that the first floor commercial space had a tenant. If the first floor was used for residential space, Mr. DeFranza would increase his unit count, but the project would become a 40B unless the ZBA issued a variance. Option A featured parking under the building because Harborlight could not put residential on the first floor and didn't want a giant commercial space.

Harborlight would pay what the Hamilton Development Corporation (HDC) had paid for the property, but the HDC would continue to own the property out front, which was appraised at \$200,000. Revenue would continue to be received from renters.

According to Anthony Nickas, the timeline would include completion in about four years, as Harborlight had indicated it might not get tax credits the first round. The permanent loan would be \$700,000, which would be combined with tax credits and soft money. The HDC would not be able to close until the funding was in place, which might be three years from the current date.

The 50' set back was triggered by the Mass Stormwater Handbook, which suggested distances between stormwater drainage systems and septic leaching systems. The Hamilton Board of Health required a 25' separation. Charlie Wear (Meridian Associates) had previously indicated that the distance was a suggestion so it was a gray area. The standards might not apply as the area of disturbance was under the one acre threshold. Brian Stein said the 20 unit septic would fit, according to Charlie Wear, who studied the site. The land needed to be able to site the leaching area, reserve leaching area, and stormwater area, all of which would need to be 25' apart. The drainage could be calculated easily based on soils. As the proposed building was smaller than anticipated, the drainage and septic areas would also be smaller. Test pits were done, but would be witnessed the second time by the Health Agent.

There was not a demolition permit to remove the property in the fall. The tenant of the rental house had lost his wife and it was unknown if the rumor that he was moving out was true. The HDC wanted the house up for as long as possible to generate revenue.

One neighbor issued her concern about traffic spilling in and out onto Willow St. Brian Stein responded that senior housing typically generated less traffic than non-senior housing. The neighbor said traffic and parking were currently an issue and asked if there would be a traffic study to determine and address those concerns. The one driveway shown would need to be 18' at a minimum for two way traffic.

An abutter was concerned about the light that existed and how much more light would be added. Brian Stein reminded the abutter that it was the Business District. Lighting would be monitored under Site Plan Review. Lighting would be limited to a certain amount for safety. Option A could be approved through Site Plan Review through the Planning Board by right given the Mixed Use By-law with commercial below and residential above. Option B, with residential on the first floor, would need to follow the 40B process or the applicant could request a variance

from the Zoning Board before going to the Planning Board for Site Plan Review. The variance would be for residential use on the first floor.

If 40B occurred, the developer would be able to do anything, skirting the Zoning By-laws. 40B would not be able to by-pass the Conservation Commission or Board of Health. An abutter asked if the plan could be changed. Brian Stein replied that the Corporation would talk to Andrew DeFranza about which option was preferable. As long as the application was complete and followed the rules, all the Planning Board could do was condition the plan under Site Plan Review. They would not be able to deny the plan. Reportedly, Mr. DeFranza thought 20 units was his mass as far as political and scale reasons.

Bill Gisness said the HDC could sell the property outright and referred to Dodge Tree on Willow St. with truck traffic and TM Landscaping, which were not the businesses the Corporation was trying to get downtown. While there was a big push for rental affordable housing, the intent of the Business District was to keep it business not residential with an income source from the housing above. Mr. Gisness recalled that the HDC bought the property on behalf of the Town for commercial use on the first floor and residential use above, but the AHT said it was the perfect property for affordable housing so Mr. DeFranza submitted the RFP. Elaine Swenson (Linden St.) suggested the Town offer the variance so Harborlight wouldn't go 40B. The 35' building would be same size as David Cutter's building on Railroad Ave., which was compared to what a building there was no control over via a 40B application. Variances needed to be approved based on a hardship.

The intent was to have the site be pedestrian friendly including creating a park to bring people back there. David Cutter would be encouraged to clean up the area behind his building. The H-20 loaded septic system would be under the parking area. The Corporation had until June 9, 2017 to vote upon it.

The HDC could go back to the bank since they had an answer to the RFP. The loan was amortizing, but could continue interest only with an approved proposal. All five of the members needed to be present to vote upon the proposal. Anthony Nickas said Harborlight needed to find another site to pair with the Willow St site as the scoring for tax credits was reliant upon the second site. There were \$3M in State and Federal tax credits available.

Heights would be 35' to the midpoint of the roof if gabled and 35' for a flat roof. The package store (at Depot Square) on Bay Road was a bit taller to the midpoint of the roof. The package store was three floors high. There would probably be an elevator unless the first floor was for handicapped accessible units.

### **Downtown Beautification**

The HDC would be paying for the project and Anthony Nickas wondered who was going to oversee the project to ensure it was done properly. Dorr Fox would determine when the pots

would be installed with watering starting June 1, 2017. Payments would be June, July, August and September for watering. Next year's budget would include the recurring watering costs while the \$1,200 was a one time fee for installation.

Motion made by Brian Stein to adjourn.

Seconded by Anthony Nickas.

Vote Unanimous to adjourn at 8:35 am.

Prepared by:

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Marcie Ricker

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Attest

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Date