

**Hamilton Affordable Housing Trust**  
October 18, 2017 – 6 p.m.  
Town Hall

HAHT Members present: Bill Wilson, Marc Johnson, Michael Lombardo, William Massos  
HAHT Members absent: Chair Russ Tanzer  
Town staff present: Dorr Fox, Hamilton Community Projects Coordinator; Patrick Reffett, Director of Planning and Inspections

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At 6:06, Mr. Johnson opened the meeting with a quorum present. Nineteen members of the public were in attendance.

MINUTES—SEPT. 20, 2017

Mr. Johnson noted the wording about needing “to do a senior project in parallel with a family project” (regarding Harborlight Community Partners’ two proposed affordable housing projects) should be worded the other way around. The group was not concerned.

Michael Lombardo made a motion to accept the minutes as written. Mr. Wilson seconded the motion. The Trust voted unanimously to accept the minutes (4-0).

REPORT FROM SCHOOL COMMITTEE MEETING / HAHT COMMENT AND POSITION ON MOTION PASSED BY THE SCHOOL COMMITTEE

**School Committee Motion:** *The Hamilton Wenham Regional School Committee would like to carefully evaluate the potential future need of any amount of land available on the Longmeadow property in order to determine if the land might best serve to support the future educational infrastructure needs of the school district.*

**Discussion:**

Mr. Wilson outlined what transpired at the Sept. 28 School Committee meeting when the motion (above) was discussed and passed (4-0). He said that since then there has been a question about whether they actually had a quorum because one of the members was attending via phone. He encouraged anyone interested to attend the meeting tomorrow evening when they will review and possibly revote.

He supplied background—that the Longmeadow Study Group had been evaluating potential uses for the Longmeadow property. The Recreation Department determined it

cannot use the property for playing fields. The Study Group had sent questions to the Schools about whether they had an interest in the property. The Schools expressed interest and had invited Andrew DeFranza of Harborlight to their meeting. They discussed the process—Phase 1 would be to present a statement of interest to the Massachusetts School Building Authority (MSBA) in February. However, there is some question about whether they'd make the list. (That process would take approximately 18 months). If they did make the list, they would go to Phase 2, which would be a feasibility study, which costs \$1.5 million and takes about three years.

Harborlight currently has an option with rights to the property until spring 2019 and has said they could hold a portion of it for the Schools until that time. If Harborlight chooses to relinquish its interest in the property now, there would be nothing for the Schools to pursue because they aren't in a position to act quickly; they would need to complete the long process.

William Massos asked what the potential school use would be. Mr. Wilson said it would most likely be to consolidate schools, but that could perhaps be done at the existing school sites. An elementary school compound was discussed. Plans are open-ended.

Mr. Wilson explained that to move forward, Mr. DeFranza wants a show of support from the Trust and the Board of Selectmen (BOS).

The Trust discussed specifics. Right now, Mr. DeFranza has site control of the back 16 acres and a verbal agreement on the front 4 acres. The option on the rear of the property runs out in spring 2019. Mr. DeFranza confirmed that Harborlight agreed to maintain site control for that time period for the benefit of the Schools on the rear parcel, but if the Schools preferred, he could perhaps offer the front parcel (if he regained site control, which he's pretty sure he can do). He said Harborlight is willing to draw up a document to that effect if the Town wanted it.

Mr. Lombardo asked if the Willow Street project will be delayed while they figure out Longmeadow. Mr. DeFranza responded that while the Willow Street project could get permitted alone as a 40B project fairly quickly, it was highly unlikely it could be financed alone.

Mr. Johnson stressed that it is the Trust's obligation to move forward on affordable housing. The Trust wants the 20 units at Willow Street and stay within the "no more than 40 units" structure at Longmeadow. The Town will get safe harbor from 40B if they permit the 40 units. They are wanting a friendly 40B on the front parcel.

Mr. Massos clarified that Mr. DeFranza would like to build on the front parcel, but the parcel they are controlling is on the back part. Mr. DeFranza said that is correct, but he believes Harborlight could regain site control on the front. He said he could permit Willow Street right away and file the PEL (Project Eligibility Letter) for 40B on the front parcel at Longmeadow later this year and then find out in the spring if it were approved.

Mr. Massos commented that the collaborative approach makes sense, but he's concerned it could take 5 years for the Schools to decide what to do. Mr. Johnson concurred. This issue is on the table, not because of the Schools' needs but because there's an opportunity presented. He added that Mr. DeFranza needed a firmer statement from them about whether the Trust and the BOS are behind a Harborlight project at Longmeadow, which led the group to consider its next agenda item:

REVIEW OF WRITTEN AGREEMENT BETWEEN HAHT AND HARBORLIGHT COMMUNITY PARTNERS REGARDING FUNDING FOR 59 WILLOW STREET PROJECT AND ANOTHER-TO-BE-DETERMINED PROJECT, WHICH COULD BE ON THE SITE OF LONGMEADOW WAY NEAR BAY ROAD

Mr. Johnson noted that the Longmeadow Study Committee had come a long way in three months. Mr. Wilson said yes, but the group now struggles with what role it has going forward because the matter is now up to the Schools. Mr. Johnson said the Study Committee could stay in an advisory role to the Schools if they choose to move forward.

Director of Planning and Inspections Patrick Reffett asked how the potential use of Longmeadow affected the Schools' current turf field project. Mr. Wilson responded that based on what's going through the permitting process, it wouldn't affect it at all. The Schools aren't likely to put the fields there, although they may want to encroach on the property just a bit to widen their track.

Robert Curry, 713 Bay Road, who is not a direct abutter, said there's a long-term inevitability to the site. The 30 or 40 units on the property begets maybe 19 or 24 months of site control. If the Schools decide they have no use for the property, what option will there be but to continue to put in more affordable housing there. If that property is released after Harborlight completes its 30-40 units, it would be a simple thing to have a non-friendly developer put in as many units as s/he can. Mr. Curry said he loves the property and has been living there 45 years. The people he has gotten to know along Ortins Road will really be affected by big development there. He questioned whether the legacy might be a total of 160-170 units or more, saying that while there is room for affordable housing in Hamilton, the preference of the Town is for smaller clusters, preferably closer to town. He foresees traffic, septic problems, and fire and safety issues with this magnitude of development at Longmeadow.

Mr. Wilson said that the Trust either does something that's small and controlled and buys time for the schools to consider the property or the property is released by Harborlight soon and then they are dealing with the inevitability Mr. Curry spoke of. Mr. Johnson said there is a chance that the back piece would stay single-family because he can't imagine there would be municipal support for having more units built in the back. Mr. Massos agreed, although he said that something could change that. He said his guess is that the Schools won't want to build there.

Carol Curry, 713 Bay Road, echoed the sentiments of her husband, that if Mr. DeFranza's group develops the 40 units in the front and the Schools don't want the property in the back, the only thing suitable there would be more 40B housing. It is unlikely anyone would want to build a single family home there on the 16 acres with a view of the 40 units, she said.

Mr. DeFranza said he has heard the numbers 140 and 200 discussed as the number of units that for-profit groups might want to develop there. Harborlight is essentially buying a five-year window of time for the Town by doing what the Town wants.

Kate Walker, 82 Ortins Rd., stressed that if the front parcel is developed, abutters to the back parcel would also be impacted. Mr. Johnson said he wasn't sure about that. The abutters to the front property would definitely be impacted.

Rick Mitchell of the Hamilton Development Corporation, said there are a lot of unknowns and everybody is asking what happens after that five-year window is up, but the affordable housing initiative doesn't stop when 60 units are approved or built. The Trust and other Town committees are going to have to continue to push for more affordable housing—although ideally it's going to be near town and in smaller chunks. The good thing, he said, is people have become educated and understand the need to do something, although going forward inch by inch is going to be tough and will involve conflict.

Mr. Massos commented that if the Town decides it doesn't want to put a school there, it can always revisit building a smaller-scale affordable housing project. However, Mr. Johnson said to keep in mind that the last year and a half has given the Trust benchmarks on size and they do not want projects of more than about 40 units.

Fred Mills, 15 Arthur Ave., who used to serve on the Trust said its mission is to provide a community in which people's children can thrive and grow and come back to the community to live. In the 15 months since he stepped off the Trust, he said that 15 seniors have passed away and none of them had the opportunity to move into senior housing in Town. He said the Trust needs to listen to the needs of the entire community.

Mr. Johnson asked whether the Trust wanted to affirmatively state that something Harborlight will do at Longmeadow for up to 40 units would qualify as the second project discussed in the grant agreement passed at the last meeting. Mr. Lombardo said he's fine with clarifying that. Mr. Massos added it should state that's with an understanding that Mr. DeFranza is willing to work with the School District on its effort to identify potential uses for the property.

Mr. Johnson wrote the following **Motion**:

*The Hamilton Affordable Housing Trust supports a partial development of the Longmeadow Way site for affordable housing of between 20 and 40 units, which would qualify as the second development that was referenced in the HAHT's Sept 20<sup>th</sup> Willow Street motion, with the further understanding that Harborlight Community Partners will work with the Hamilton Wenham Regional School District to identify potential uses for the remainder of the property.*

Christine Scott, 92 Ortins Rd., asked if another property in Town becomes available, would that be put into the motion. Mr. Johnson said that is already in the first agreement.

**Decision:**

Mr. Massos made a motion to put forth Mr. Johnson’s affirmative statement (see language above). Mr. Wilson seconded the motion. The Trust voted unanimously to approve the motion (4-0).

**Further Discussion:**

The Trust discussed when the funds would be given. Mr. Massos said according to the grant agreement, it is upon permitting, but Mr. DeFranza said he will need it for acquisition. Mr. Johnson said that if for any reason, the \$300K does not go toward affordable housing, the Trust would want the money back. The Trust discussed what they would do if the project(s) didn’t go through. Mr. Johnson proposed that maybe the agreement should come from the BOS rather than the Trust.

The Trust discussed turning the task over to Town Counsel Donna Brewer to ensure that the money is returned should the project not go through. A bigger issue, according to Mr. Massos, is that the Trust doesn’t have the authority to give money out for acquisition and is essentially doing a “pre-development” and that needs to be controlled. Mr. Johnson agreed that the Trust does not want to be in a position of general partner. Mr. Lombardo recommended also asking Ms. Brewer if the BOS should sign the document or the Trust should sign, or both.

Mr. Mitchell said the Planning Board can condition the project, but can’t deny it. The Board cannot harm the applicant by unreasonable conditions.

Mr. DeFranza wanted to add language that the agreement can’t be undone and that the timing would allow for an extension if necessary. The Trust had put in a sunset clause of two years, but if there is an appeal, he may need another 18 months to two years.

Dorr Fox clarified that both agreements (Willow Street and Longmeadow) should have an extension in case they are appealed.

**DISCUSSION OF 10% DOWN PROGRAM**

Mr. Massos explained the program. Typically, he explained, nobody other than parents or a significant other can supply money to a home buyer for a down payment, but a municipal authority can do that. If the Town were to have a program/fund, the applicant could use the funds for a down payment or to buy down the interest rate (to make it affordable), then over a 10- or 15-year period, the Town can place a restriction on the property that makes it

affordable. However, if the homeowners wanted to buy their way out of the condition (after perhaps a 5- or 10-year lock-out), there would be a process in place to do that. Mr. Lombardo discussed management issues and asked what it would require on the part of the Town.

Mr. Massos said he would talk with people at his bank to see more about what they could do. [He is senior vice president of Boston Private Bank.]

Ms. Walker spoke up to express her concern that the program would be trying to help people buy homes that couldn't necessarily afford to live in Hamilton otherwise.

#### REQUEST FOR FUNDING FROM THE COMMUNITY PRESERVATION COMMITTEE

It was decided to table the discussion until next meeting.

#### NEW BUSINESS

None.

#### ADJOURNMENT

Mr. Massos made a motion to adjourn the meeting. Mr. Lombardo seconded the motion. The Trust voted unanimously to adjourn at 7:45 p.m. (4-0).