

HAMILTON DEVELOPMENT CORPORATION

MINUTES OF MEETING

October 25, 2017

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

Coordinator: Dorr Fox

Also Present: (Longmeadow) Robert Borsetti, Jack Lawrence, Bill Shields, Russ Tanzer,  
(Willow St.) Julia Maycock and Andrew DeFranza (Harborlight).

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

**Warrant**

Bill Gisness made motion to approve Warrant HDC-1808 for a total of \$3,229.99. The warrant included costs associated with the mortgage and Harborlight maintenance.

Rick Mitchell seconded.

Vote: Unanimous in favor.

**Minutes**

Bill Gisness made motion to approve the minutes of October 11, 2017.

Seconded by Rick Mitchell.

Vote: Unanimous in favor.

**Downtown Improvements.**

A proposal from Nunan's was received for additional flower pots for 2018. Jeff Hubbard had submitted a proposal for 23 Holiday wreaths for the same poles. The 24" balsam wreaths with dark red bows would be on the street face of Route 1A and Railroad Ave. The cost would be just under \$1,100 for the wreaths and installation. It was undetermined when they would be put up or taken down. The cost would come out of the last fiscal year fund. New flowers baskets and hangers would be installed and with new and replacement baskets for a cost of \$3,800. There would be 46 baskets and 23 new hangers. Watering would occur from June 1, 2018 until September. The price included flowers in the street boxes even though the HDC only wanted watering of the boxes. The price was similar to the previous year. Dorr Fox would contact the HW Garden Club to determine if they wanted to plant the boxes and contact Nunan's to have them issue a new proposal. The downtown group never submitted a proposal for funds for advertising the Christmas walk.

Rick Mitchell made motion to approve Nunan's proposal for Christmas wreaths. Brian Stein wanted to make sure they intended on taking them down.

Seconded by Bill Gisness.

Vote: Unanimous in favor.

### **Potential Vote on Harborlight Response to RFP for 59 Willow St.**

Rick Mitchell said the School Committee approved language that met Andrew DeFranza's need in terms of having interest in the available land. The School did not identify how much land they intended to study for the use of future school infrastructure needs. Mr. DeFranza reportedly felt comfortable moving forward on four to five acres. Bill Shields did not believe that was the School Committee's actual vote as it was reported and thought they approved a motion to carefully evaluate all the property at Longmeadow for infrastructure needs of the schools. Rick Mitchell disagreed. The Affordable Housing Trust (AHT) indicated support for the \$300,000 to be used for the Longmeadow property so that piece was in place, according to Mr. Mitchell. The next step would be to go to the Board of Selectmen for their final vote of approval for AHT money. Mr. Mitchell said all parties and Harborlight were in alignment, having framework of an agreement for up to 60 units in the town.

Bill Shields asked if anyone on the committee had seen any agreements between Harborlight and Jim Farnham or Harborlight and Kurt Miller. Mr. Shields said no one in the Town had seen them and referred to the letter from Mr. Miller to Harborlight that specified if Harborlight developed 40 units up front, Mr. Miller would put in 140 units out back. Mr. Shields asked if the HDC was still in favor knowing about the 180 units. Rick Mitchell said Mr. Miller was irrelevant to the discussion. Mr. Shields noted that it was a distinct possibility if Harborlight could not control the land, there would be a development, according to the minutes. Mr. Miller owned the road.

Bill Shields asked if Rick Mitchell was speaking for the HDC or as a citizen when he went to the Longmeadow Study Committee, the AHT, the School Committee, and the Selectmen. Mr. Mitchell responded that he was speaking for the HDC. Mr. Shields asked if there was anything in the records deputizing him to speak, to which Mr. Mitchell and Brian Stein responded that there was. Mr. Mitchell recalled that the entire board had a long discussion the previous August that no progress was being made by various committees and thought it was important to talk to the School Committee and the AHT about deadlines and unanimously voted to approve meeting with all involved committees to advocate for action on Longmeadow. Mr. Stein and Mr. Mitchell thought it would be helpful for all of them to move forward in concert to come to a conclusion to make a decision on the proposal. Mr. Shields asked if Mr. Mitchell thought it was part of the role of the HDC to advise on school or affordable housing use of the town. Mr. Shields asked if it was a contingency of Harborlight's bid under the 40B. Mr. Shields said he had read the minutes and noticed that Mr. Stein had made statements, which he thought were inappropriate as Harborlight was a client of his firm. Mr. Stein responded that he wasn't voting and that he had recused himself. Mr. Stein said he attended the meeting to answer factual information regarding the HDC and that he was not promoting Harborlight's proposal.

Mr. Shields referred to the minutes that Brian Stein added that if the school wanted to study the property, the Town should allow Harborlight to control the front acreage. Mr. Stein responded that it was a fact not a judgement. Mr. Shields asked if Mr. Stein saw a conflict of interest.

According to Mr. Shields, the factual question had nothing to do with the mission of the HDC, which would be to develop projects downtown and in the Business District and to advise on other things. Mr. Shields said the HDC had no mission with affordable housing or school finance. Mr. Shields said the HDC could not protect the town against 180 units of affordable housing next to the high school. Rick Mitchell responded that the HDC was trying develop the land they owned at 59 Willow with 20 units of housing. Incorporated in the proposal was that Longmeadow was a part of that project or the project would not go forward. According to Mr. Mitchell, the HDC wanted to see the Willow St. project proceed. The HDC voted unanimously to take a proactive stance to work with the other committees to identify and work through the issues so the proposal could come to fruition. Mr. Mitchell said the HDC actions were for the greater good of the town to meet requirements of affordable housing. Mr. Mitchell indicated that he resented the implication of impropriety.

In response to Rick Mitchell's accusation that Bill Shields had not attended meetings, Robert Borsetti said Mr. Shields had been to meetings since October 15, 2016 and was instrumental in organizing the group in opposition. Mr. Borsetti issued his concern that there was no information regarding agreements with Mr. Farnham or Mr. Miller as well as the RFP for Willow St. Rick Mitchell responded that all information was made public except the agreements with Longmeadow, which were from a business relationship.

Andrew DeFranza summarized that Harborlight still controlled the back of the site and talked to Mr. Farnham about taking control of the front acreage in an effort to create 40 units at Longmeadow and 20 units at Willow St. Mr. DeFranza submitted the document for the RFP and requested funds for both sites from the AHT. It appeared that the School Committee wanted to research the back land and voted that they had an interested in land available under the premise that Harborlight would use a portion of it. According to Mr. DeFranza, the School's timeline was significant as they needed 1.5 years to consider and have the State involved. Harborlight's site control would end in April of 2019. The AHT voted the second fundable parcel could be Longmeadow. The AHT was drafting grant agreements for the two parcels. The Selectmen had not yet responded to the request from the AHT.

Robert Borsetti asked Andrew DeFranza if he would reveal the finances and purchase price of the parcel as he was a cooperative host agreement partner. Mr. DeFranza responded that any agreements with Mr. Farnham and Mr. Miller would be exposed during the project eligibility letter process. Mr. DeFranza added that if the School really wanted the back parcels, the agreement would be important. Mr. Borsetti responded that it would be helpful if the School wanted to purchase or take the land via eminent domain. Mr. Borsetti said Mr. Miller inflated the price to reflect the value as a developed parcel. Mr. DeFranza said the aggregate was about \$4M.

Rick Mitchell explained that all issues related to Longmeadow were not under the HDC purview except that they were linked. Mr. Mitchell said all boards independently arrived at their

decisions. Julie Maycock said she understood the lobbying of other government boards. Ms. Maycock said the RFP was published but the Harborlight response was not. Throughout the process, the proposal changed. Ms. Maycock described the difference between a friendly 40B and the current proposal of a by-right three story building with Accord expanding by moving to the first floor, which would exacerbate the issues such as parking, etc. The project had morphed into something taller, bigger, and more intrusive on the neighborhood, according to Ms. Maycock.

Andrew DeFranza would e-mail the response. Mr. DeFranza framed the various scenarios based on 40B and by-right zoning. Accord was interested in being the tenant if commercial space were to occur on the first floor. Both scenarios were possible from the beginning, according to Mr. DeFranza. Julia Maycock said the neighbors would prefer a friendly 40B with two stories as it would be the least intrusive. Ms. Maycock would send a letter indicating that the neighbors would prefer a friendly 40B. Mr. DeFranza noted that if one person appealed, it would be a disaster.

Jack Lawrence thought it would have been more prudent for Rick Mitchell to have stayed within the HDC's area of expertise in the Business District rather than lobbying the various boards. Mr. Lawrence thought focusing on Town owned properties such as the field next to the library and the COA building would have created a better management system for Harborlight rather than land locking the school. Mr. Lawrence said there were two options available to the HDC for the Willow St. site, including affordable and market rate housing. If the HDC went the affordable route, Harborlight needed another piece, so it made sense to have the other site nearby. Mr. Lawrence said the HDC did not act in good judgement.

Bill Shields requested that the Corporation consider the actual votes of the individual committees rather than what was understood as to what they said. Mr. Shields asked if Harborlight had a memorandum of understanding with the group, to which Mr. DeFranza responded that he did not. Mr. DeFranza said there was an extension of the award of their RFP based on Harborlight's submission. Mr. Shields asked when the linkage to Longmeadow came in for the first time. Mr. DeFranza said it was submitted with the RFP that an additional site was needed, dated May 9, 2017.

Rick Mitchell said the question before the committee was what the next step was as the decision was made until the end of October. The choice would be to grant the award on a preliminary basis or choose to extend the award for a period of time to get more details if necessary. Bill Shields asked Andrew DeFranza if it could be extended beyond October. Mr. DeFranza responded that he was willing to see how the votes turned into documents and would be willing to extend through November. When asked if Willow St. could stand alone without Longmeadow, Mr. DeFranza said it was unlikely that Harborlight could do it as they needed a second site.

