

**Winchester Housing Partnership Board  
Minutes for the Meeting of March 20, 2019**

**Present** - Chair John Suhrbier, Allan Rodgers, Michael Bettencourt (Select Board), Naomi DeLairre, Diab Jerius (Planning Board), Marty Jones, Laura Fitzgerald (COA), Zeina Marchant (School Committee), Lisa Matrundola (DAC), David Miller (Conservation Commission), Jerome Garciano, and Felicity Tuttle as Clerk Pro Tem.

**Absent** - Cathy Camp Boyle (WHA)

**Guest** - Amy Shapiro

The minutes for the meeting of February 20 were reviewed and approved.

**1) Municipal Affordable Housing Trust Town Meeting Warrant Article**

Town Manager Lisa Wong convened a working group last week which included Shelly Goehring of MHP. The purpose of the discussion was to decide how to move forward with a Warrant Article for Spring Town meeting. One question was whether some portion of the Select Board's Housing Fund could be transferred to such a Trust by a vote of the Select Board or if such a transfer requires a vote by Town Meeting. It is Town Counsel's opinion that the Select Board can delegate the money to the Trust since the fund is under their control.

The Select Board discussed this Article as part of their Monday meeting and voted unanimously to adopt S. 55(c) of Ch. 44 and to propose this in the Spring Town Warrant. This article would create a Trust pursuant to the state guidelines and thus would necessitate a minimum of 5 members of a Board of Trustees, one of which would be a Select Board member.

Regarding the \$1M Winning Farm linkage payment which Ron Bonvie has paid, a decision has not been made where that will be allocated. The current thinking is that a recommendation will be made to Fall Town Meeting. An important rationale for this payment is that this is an "in lieu of" payment for not providing a third affordable unit as part of the Winning Farm development.

VOTE: WHPB voted unanimously in favor of co-sponsoring this warrant article.

**2) Margaret Mahoney Land at 535 Main Street**

The Zoning Board of Appeals continuation hearing for this proposed mixed use development of eight condo units of housing [four units on each floor] with two commercial units on the first floor was Monday evening, March 18. In response to comments from the Planning Board and Design Review Committee, the building has been pushed back farther on the lot and the exterior design changed. Robert Murray is reported to have paid \$2.8M for the land.

Diab Jerius expressed concerns that the issues identified by the Planning Board have not yet been fully addressed. In addition, there was a meeting last week with town staff about the traffic issues at this intersection, and the access to and egress from this development have not yet been fully agreed upon. The town's proposal is not to have any left turns into the building nor any left turns out of the building. The proposed building includes an elevator as well as a roof deck, with the elevator also serving the roof deck. A question has arisen whether the elevator shaft height required under state code and the associated roof are considered part of the roof height limitations or not. There also are questions of whether a variance will be required if the building is moved towards the back of the lot. Moving the building back would allow more pedestrian friendly amenities to be placed in the front. The Planning Board also is of the opinion that this proposal would benefit from having both an independent design consultant and traffic consultant.

Toward the end of the hearing, John Suhrbier testified that it has been the practice of the town for

multi-family developments having six or more units to include 10 percent of the units as affordable. For 735 Main Street, this would mean that one of the eight units should be an affordable unit. While this is not yet required, this inclusionary provision has been town practice for many years. In addition, Mr. Suhrbier noted that an inclusionary unit would be required under the zoning changes being proposed by the Planning Board for Spring Town Meeting.

3) **Planning Board Proposed Town Meeting Zoning Changes**

One of the ten proposed changes to the Zoning By-Laws being brought by the Planning Board to the Spring Town Meeting would expand the geographic coverage of the CBD's inclusionary zoning provisions so as to also apply to zoning areas GBD2 and GBD3, which are essentially North Main Street. This is viewed as an incremental expansion, with the thought that the geographic coverage could be further expanded in the future beyond the CBD and North Main Street.

**VOTE: WHPB voted unanimously to support Town meeting Article 6 which would extend inclusionary zoning to GBD2 and GBD3.**

4) **19-35 River Street**

A Chapter 40B Site Approval application has been submitted to MassHousing for the construction of 147 housing units to be built on vacant commercial land located at 19-35 River Street. River Street is off Cross Street, just west of Conant Road and The Willows. The development would be a mix of one, two, and three bedroom units, with 10 percent of the units containing three bedroom. The street slopes down significantly towards The Villages, with this development being sited across from the VFW Hall. A site visit is planned for 10:30 on Friday morning.

Under Chapter 40B, 25 percent of the units would be affordable. Because the development would be all rental, all of the units would be included in the SHI and count towards the Housing Production Plan's Safe Harbor provision.

The developer is SEB LLC in partnership with Justin Krebs. With town elections taking place on March 26, Mr. Engler is waiting for the new Select Board to get in place before he meets with them. While the town discussed the possibility of this being a "Friendly 40B," SEB prefers that this process go through MassHousing in the traditional manner. However, Mr. Engler emphasized the desire to work cooperatively with the town so this would be a "small f" friendly 40B. In this context, Geoff Engler is willing to meet with some or all of us, as well as with other town boards and the neighbors.

Comments currently are due to MassHousing by April 12 although an extension in this submission date is likely. MassHousing wants to hear specifically from a locality's Housing Partnership Board separately from the comments submitted by the town. Applicable review criteria include the suitability of the site, consistency of the preliminary design with the site, financial feasibility of the development, and the history of multi-family and affordable housing in the town. Under Chapter 40B, it is illegal to consider the impact of a proposed development on the school system. Many of the market rate units, though, are likely to be elders and young couples. MHP will pay for peer review of virtually anything the town would like, up to a total dollar amount.

Initial comments on this proposal were solicited from Partnership Board members and discussed. The Chair will incorporate these comments into a draft letter, which then will be reviewed by the entire Board.

5) **248 Cross Street**

The most recent plan is to build a duplex, after waiting for the one year demolition delay for the

existing 1840's house. This is a change from the previous larger development that was being considered. The duplex is consistent with the current zoning.

6) **“CVS” Site on the corner of Swanton Street and Washington Street**

There is a conditional P&S on the property with a developer, but the potential new developer has requested not to be identified. The town and the developer are discussing the possibility of building 52-59 condominium housing units via a “Friendly 40B,” so that 25 percent of the units would qualify under Massachusetts affordability guidelines. From a financial perspective, the developer would like to have 45 units in order to ensure a break even economic return. For a condominium development, only the actual affordable units would qualify to be included in the town's Subsidized Housing Inventory (SHI) rather than the total number of units as is the case with a rental development.

7) **Winning Farm**

Ron Bonvie had proposed that the two affordable units would be located closest to the entrance of the development; in the first two buildings to be built. DHCD, however, rejected this proposal since it is not consistent with their “proportional distribution” criterion. David Errico is reported to have intervened by going directly to DHCD in an attempt to persuade DHCD to change their decision, implying that Bonvie had agreed to change the location of one of the two affordable units. Jennifer Cafarella in the Town Manager's Office is planning to call the town's contact at DHCD and obtain copies of any correspondence.

**NEXT MEETING DATE: Wednesday, April 10, 2019 – Second Wednesday!!**

Respectfully submitted,

*Felicity Tuttle*

Felicity Tuttle, Clerk pro Tem.