

**Winchester Housing Partnership Board
Minutes for the Meeting of May 11, 2022**

Present: Chair John Suhrbier, Allan Rodgers, Michael Bettencourt (Select Board), Cathy Camp Boyle (Housing Authority), Naomi DeLairre, Diab Jerius (Planning Board), Marty Jones, Lisa Matrundola (Disabilities Access Commission), David Miller (Conservation Commission), and Felicity Tuttle as Clerk Pro Tem. Also Sally Dale (PB) and Steve Campbell.

Unable to Attend: Jifeng Liu, Michelle Bergstrom

Guests: Sally Dale (Planning Board), Steve Campbell

NEXT MEETING DATE: Wednesday, June 15, 2022, 7:30

Minutes of April Meeting: The Draft Minutes for the April meeting were approved by an unanimous Roll Call vote. The Chair then reported on information that he became aware of following the April meeting regarding the possibility of a Chapter 40B process being used for the Abby Road development. The development agreement states that a 40B cannot be used. In addition, the Deed contains a Rider specifying that a 40B permitting process cannot be used. In discussing this with multiple lawyers, the thinking is that it may be legal to include this prohibition on the development agreement since the original developer is agreeing to this provision. Given that anti-discrimination is the underlying purpose of the Chapter 40B legislation, it is unlikely that such a restriction would be legal as a deed restriction.

1) Waterfield Lot:

On May 18th the Select Board has scheduled a public hearing and general information session, preceding the Special Town Meeting discussion and vote on June 6th. In response to a question of whether the Finance Committee has yet taken a position, Marty Jones answered that this has not yet occurred, but the sense is that the committee's general consensus likely will be positive since an important result of the additional negotiations is improved revenue to the town. Thereafter WHPB held discussion about whether we should vote now based on the information already available or wait until after the May 18 informational meeting, the "now" arguments held sway.

VOTE: "The Winchester Housing Partnership Board continues to support the proposed Waterfield Lot development and for Town Meeting to authorize the Select Board to execute the renegotiated Land Development Agreement." The motion was approved by an unanimous Roll Call vote.

Waterfield Lot Talking Points:

We next discussed the important reasons underlying the affirmative vote. These should serve as the basic Talking Points in discussing the proposed Waterfield development with others in town who may know less about the renegotiated proposal. Members made the following points. These will be all rental units, with even the market rate rentals counting toward our Subsidized Housing Inventory (SHI). The proposal fits what the Master Plan seeks to encourage in the Town Center. The increased SHI will favorably impact our Housing Production Plan, and enable more than a year of Safe Harbor* from 40B developments we might otherwise wish to change.. The development will result in additional housing in the Town Center for Seniors, permitting long-term Winchester

residents to stay in town as Seniors (Affordability contributes to Stability).. The housing will be designed with Universal Access in mind. The location is ideal from the standpoint of easy access to essential services (bus, train, pharmacy, quick-stop groceries, restaurants and even full groceries). Additionally, we are getting the maximum number of affordable units which Low Income Housing Tax Credit (LIHTC) funding will support, plus 1/3 at market rate. The additional negotiations have significantly improved the financial deal for the Town via percentages of return, return upon any sale or future refinancing, and the annual return of capital and interest on the Winchester Municipal Affordable Housing Trust [MAHT] loan to CIVICO. The MAHT's money is affordable housing money managed by the Trust; it is not "town" money and the Trust has formally voted to approve the loan. The architectural design is excellent and provides the town more public parking spaces which was a priority of the Waterfield Task Force, with 70 public spaces now included with the construction and maintenance the responsibility at the expense of CIVICO rather than the town.

Regarding SHI, it was pointed out that an update from the state is scheduled to be available on June 4th. As of March 2022, Winchester no longer was in Safe Harbor, as no new developments had met the necessary numbers and timeframe. However, since River Street and Cambridge Street will be included in the update, we should be back in Safe Harbor and this Waterfield development, once permitted, will enable the town to have Safe Harbor for an additional 1.5 years.

The only item not changed in the additional negotiations is the 99 year lease term which was a term of the original Waterfield RFP so cannot be changed now, and also is a truly standard term on long term leases. Lenders do not want to lend to build a development on land that only can be leased for, say, 20 years or 30 years. Basically, 99 years is considered "forever" without an actual sale.

2) Washington and Swanton Request for Proposals [RFP]:

Michael Bettencourt reported that the comments of the Planning Board and the WHPB had been absorbed into revisions of the Select Board's most recent Draft of the Washington and Swanton Street RFP. After realizing that the RFP had become too dense, the RFP evaluation criteria were culled down to the highest return and largest affordable housing, and then traffic considerations. The Select Board deliberately decided to omit the Request for Qualifications [RFQ] process that was done for the Waterfield Lot. In this draft, the Evaluation Table has been adjusted so that every \$1M that the town is to receive gets the bidder 2 additional points, up to a maximum of 12 points for \$6M. The Spring 2022 Appraisal came in close to \$5.27M, so basically the same as the first appraisal. Also, the language differentiating rental and condominium units has been made consistent throughout the RFP to be consistent with the 2021 Fall Town Meeting 2021 vote that all of housing units to be developed qualify for the SHI. With respect to condominium units, affordable condos are eligible, but not market rate units.

In the Evaluation Table, each level of Housing is multiplied by 2. Most people are okay with the language in the Advantageous category, but the language under Most Advantageous is still too confusing. Housing Partnership Board members recommended that the current wording needed further clarification with separate (a), (b), (c) alternatives. This suggestion does not change the alternatives the Select Board is expecting in the RFP; it just makes the alternatives clearer for any bidder responding.

Regarding retail or commercial space, the Planning Board believes that commercial space is less important and sustainability is higher in importance.

There also was a question concerning the zoning to be used. Would the town prefer that the CBD zoning be used, or is a Friendly Chapter 40B application equally acceptable? It also was noted that all of the dates need to be changed so as to reflect the current anticipated actual dates.

The revised RFP is on the agenda for the next Select Board meeting to vote to approve as revised. The plan is then to issue the RFP, asking to have proposals submitted at some point in August. The target is to complete the selection process so that it can be approved as a part of the 2022 Fall Town Meeting.

3) Updates:

36 Elmwood

There were seven applications for the First Time Home Buyer unit at 36 Elmwood. Six of these required 2 bedrooms, and one required only a single bedroom. The winner of the lottery held this past Monday was an older single woman with an adult disabled child.

Cambridge St. and River St. Construction

John Suhrbier and the developer, Geoff Engler, spoke recently and the latter anticipates that both developments will be ready for occupancy in late August or early September of 2023.

87-89 Cross Street

The Select Board with John Suhrbier and Brian Szekely met with Mario Covino on May 5 for an informal discussion regarding the possibility of a Friendly 40B for a nine-unit town house at 87-89 Cross Street. The discussion included the 15 necessary steps from DHCD for a Friendly 40B. The first step is for the developer to contact DHCD and describe the proposed development. A subsequent early step is for the developer to prepare and submit a preliminary application. If DHCD accepts this application following community review, the Zoning Board of Appeals would undertake a public hearing process. Everyone anticipates that that traffic concerns will arise on Cross Street. As part of the May 5 discussion, the Select Board indicated that they like the idea of a 9 unit housing development at this location.

Multi-Family Zoning for Communities Served by the MBTA

DHCD's Draft Guidance for multi-family zoning in MBTA communities has received lots of media coverage. This Guidance details the manner in which increased multi-family zoning is to be provided in the immediate vicinity of a commuter rail stop. In Winchester, only one of the town's two stops, the Winchester Center Commuter rail Station, will need to fulfill this requirement. While supportive comments have been submitted by state agencies and by state and regional housing groups, many detailed objections and complaints have been submitted by the 175 localities affected. State housing executives say that, "We want to make this right," and that changes will be made to the draft to accomplish this objective. The state is seeing this as a "major step forward" and wants to work cooperatively with individual communities. The most likely date for updated guidance is at some point during the mid to last summer period.

DHCD Seeking Town SHI Update by June 4th

Brian Szekely, Town Planner, is working with Marty Jones, John Suhrbier, and others to

collect all of the pertinent information regarding recent subsidized housing units which are eligible to be added to the town's SHI. After this update, it is expected that Winchester's SHI will be 4.9%, based upon 2020 Census Housing Units.

Master Plan Implementation Committee

The Planning Board is establishing a 10 member Master Plan Implementation Committee. This will be an advisory committee to the Planning Board, responsible for updating and maintaining the Town's Comprehensive Master Plan. Eight members of this committee will be selected by four different selection subcommittees. Each selection subcommittee will have 5 people, one of whom will be a member of the Planning Board. The Communication Subcommittee will select 2 people for the Master Plan Implementation Committee ; same for the Transportation Subcommittee; the Sustainability Subcommittee, and the Development Subcommittee. A Youth representative will be the 9th member of the Master Plan Implementation Committee, and the Chair of the Planning Board will serve as the 10th member and Chair of the Master Plan Implementation Committee. Felicity Tuttle has agreed to serve as the Housing Partnership Board representative on the Development Selection Committee.

Meeting adjourned at 9:25 PM.

Respectfully submitted,

Felicity Tuttle

Felicity Tuttle, Clerk pro Tem.