



TOWN OF GROTON

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Town of Groton Affordable Housing Trust

Stuart M. Schulman, *Chair*
Allen B. King, *Vice Chair*
Colleen A. Neff, *Treasurer*
David A. Wilder, *Secretary*
Joshua A. Degen, *Member*

Town Manager
Mark W. Haddad

Meeting Minutes

Date: January 25, 2012
Time: 7 p.m.
Location: Town Hall, 173 Main Street Groton, MA 01450
Present Members: Allen King, David Wilder, Stuart Schulman
Absent Members: Josh Degen, Colleen Neff
Other Attendees: Judi Barrett (Community Opportunities Group, Inc.)
Michelle Collette (Town Planner)
Meeting handouts: agenda, escrow agreement draft

The meeting was called to order at 7:00 p.m.

Members reviewed the November and December housing trust minutes and corrected the closing time for the December 14th meeting.

Stuart Schulman moved to approve the November 9, 2011 minutes as drafted, David Wilder seconded and motion carried 3:0.

Stuart Schulman moved to approve the December 14, 2011 minutes as corrected, Allen King seconded and motion carried 3:0.

Agenda item: Discuss Housing Production Plan update with Judi Barrett, Director of Planning for Community Opportunities Group, Inc.

Judi Barrett spoke about the housing production plan (HPP) that her contracting group is doing for the Town as a part of its implementation phase for the Town's updated Master Plan. She is gathering input from the Affordable Housing Trust, the Housing Partnership, the Groton Housing Authority, the Board of Selectmen and the Planning Board. The Planning Board hired her company, but the Board of Selectmen and the Planning Board must each sign off on the final product. The housing trust's input is sought for the housing production plan but it may have an advisory role only.

Judi Barrett explained that a housing production plan differs depending on a municipality's use for the plan. For example, Judi Barrett described one municipality's decision to write an HPP almost entirely for the scoring advantages that it would receive when submitting Commonwealth capital applications. In that instance, a DHCD approved HPP provided evidence that the town was making progress on certain state sanctioned goals. The main question that determines necessary content is whether the housing trust wants the HPP to be approved by the Department of Housing and Community Development. Once approved, a HPP remains current for five years. The HPP rules were changed in 2008 such that communities must thoroughly vet a full range of potential strategies that might help to increase affordable housing. This requirement is present even though a reasonable observer could conclude that some strategies will not be viable in a given community due to extant conditions such as availability of water, sewer, buildable parcels, etc.

Because some overlap exists across all the types of HPPs, Community Opportunities Group can work on those common elements first while town leadership determines the ultimate direction for the plan. Drafting a housing needs analysis is a common element. This task may take about a month to complete and Judi Barrett's firm can start there.

Stuart Schulman questioned the usefulness of drafting a DHCD certifiable plan when 40B projects have been at a standstill and Groton is unlikely to add .5 percent (representing 18 to 20 units) to its subsidized housing inventory in any one year. Judi Barrett referenced a couple of comprehensive permit applications in nearby communities as

anecdotal evidence that there may be some 40B activity forthcoming. Currently, Littleton is reviewing a 200 unit development proposed by Omni Properties. There was general agreement that gaining 18 to 20 affordable units a year may be possible, but was generally unlikely.

Michelle Collette offered her opinion that a number of residents are highly attuned to the impact of the Commonwealth's 40B law. Chapter 40B has a stated purpose of increasing the supply and regional distribution of low and moderate income housing by allowing a limited suspension of existing local regulations. Because there are certain circumstances where a DHCD approved HPP is key to denying an unwanted development plan, Michelle Collette recommends that the Town produce a HPP that can be approved by the DHCD.

Called the statutory minima, the Commonwealth's Housing Appeals Committee will uphold a municipality's denial of a 40B comprehensive permit provided that:

1. more than 10% of the locality's year round housing units are deemed affordable [**the percent affordable safe harbor**];
2. low or moderate income housing comprises one and one half per cent (1.5%) or more of the locality's total land area zoned for residential, commercial or industrial use (excluding publicly owned land) [**the land area safe harbor**];
3. the proposed development would result in the commencement of construction on sites comprising more than three tenths of one per cent of such land area or ten acres, whichever is larger [**the project size safe harbor**]; or
4. the DHCD certifies that a Town bearing a current and DHCD qualified HPP has met progress goals toward creating affordable housing (.5% progress offers one year of protection and 1% progress offers two years of protection) [**the HPP safe harbor**].

Trust members made use of Judi Barrett's expertise as David Wilder followed up on the issue of workforce housing. The two private boarding schools in town have faculty housing that is a form of workforce housing. The DHCD does not count workforce housing on the SHI due to the fact that there is not equality of opportunity to purchase or rent these homes.

The large increase in age restricted housing developments (one household member must be age 55 or older) was raised. Trust members recalled that one developer was approved to build age restricted housing on Groton land. Currently, however, the developer seeks to remove the age restriction citing marketability issues with senior housing. Judi Barrett said that disability is a protected class under federal law. While age restricted developments were previously legal under the Fair Housing Act when significant services and activities were included, the passage of the Housing for Older Persons Act (HOPA) in 1995 opened the door to more private elder housing by dropping the facilities and services requirement. Perceived need for elder housing seen in Massachusetts census figures for 2000 plus the pro development Housing Appeals Committee combined to create a surplus of private elder housing.

Groton's Master Plan and HPP will benefit from recent statistical data released from the American Community Survey. Statistical data for the census is drawn from different regional groupings that the HUD regional groupings, but Groton specific data will be available for use in the HPP.

Agenda item: Review status of 134 Main Street investment.

Trust members reviewed the escrow agreement presented by Rob Anctil and reviewed in advance of the housing trust meeting by Groton's Town Counsel, David Doneski.

Allen King moved to authorize Stuart Schulman to sign the proposed escrow agreement on behalf of the Groton Affordable Housing Trust, David Wilder seconded and the motion carried 3:0.

The purchase of the 134 Main Street property may occur within the next couple of weeks. Town counsel will work with Mount Laurel Development's attorney Rob Anctil to finalize the investment binder documents for the project. As a part of this effort, Town counsel forwarded Rob Anctil's question asking whether the trust wants its position in the deal to be an equity position or a debt position. Allen King noted that equity stakes are generally viewed more favorably by banks as it reduces the capital going into the deal. The trust members reiterated their longstanding position that the investment will take the form of an equity position rather than a debt position.

Agenda item: Plan for public outreach on affordable housing.

Allen King proposed that the upcoming affordable housing seminar contain the following agenda items: buyer qualification requirements, available mortgage products and available units in Groton. Press announcements to be determined but the trust will want to advertise to employers, realtors and potential candidates.

Trust members scheduled the affordable housing seminar (directed toward buyers) for Wednesday, March 7th starting at 7 p.m. at Town Hall. It was agreed that David Wilder will speak to the group about mortgage application requirements. Allen King will speak about income limits for the target homebuyers. Fran Stanley will speak about affordable units available in Groton. Also, Allen King will try to line up an outside speaker regarding the Soft Second mortgage program.

Allen King noted that there are two area banks who participate in the Commonwealth subsidized Soft Second program: Lowell Five Cent Savings and Enterprise Bank. Further, Allen King announced that Groton’s Habitat for Humanity affiliate (North Central) is introducing a home repair program called the Neighborhood Revitalization Initiative. This program will improve existing housing stock and, hopefully, broaden the positive impact of Habitat for Humanity in Groton.

Agenda item: Reassess meeting schedule for housing trust.

Wednesday meetings on the fourth week of the month present a scheduling conflict for Colleen Neff. Trust members present discussed alternate meeting dates. For the three people present, moving the monthly meetings to the 4th Thursday is feasible. The group will reassess this time if this schedule does not work for absent members.

Allen King moved to adjourn meeting, David Wilder seconded and motion carried 3:0.

Meeting adjourned at 8:50 p.m. Minutes drafted by Fran Stanley.

Meetings Overview

Meeting Date	Status	Town Website
September 8, 2010	Final	Posted
October 13, 2010	Final	Posted
November 17, 2010	Final	Posted
December 20, 2010	Final	Posted
February 2, 2011	Final	Posted
April 6, 2011	Final	Posted
April 25, 2011	¹	n/a
May 18, 2011	Final	Posted
June 27, 2011	²	n/a
July 27, 2011	Final	Posted
August 24, 2011	Final	Posted
September 13, 2011	Final	Posted
September 26, 2011	Final	Posted
October 6, 2011	Final	Posted
October 17, 2011	Final	Posted
November 3, 2011	³	n/a
November 9, 2011	Final	Posted
November 10, 2011	⁴	n/a
December 14, 2011	Final	Posted
January 25, 2012	Draft	In Process
February 23, 2012		Planned
March 7, 2012		Planned

¹ 2011 Spring Town Meeting. See record of 2011 Spring Town Meeting
² Board of Selectmen Meeting. See Selectmen’s minutes.
³ Planning Board and Conservation Commission meetings. Housing Trust lacked quorum. See Planning Board and/or Conservation Commission minutes for more information.
⁴ Planning Board and Conservation Commission meetings. Housing Trust lacked quorum. See Planning Board and/or Conservation Commission minutes for more information.