

Town of Dunstable
Joint Meeting of the Selectboard & Planning Board
February 25, 2016
Town Hall, Dunstable, MA 01827

Convened: 7:30 pm

Present: Kenneth J. Leva, chair, Daniel F. Devlin, Walter F. Alterisio, Board of Selectmen; Tracey Hutton, Town Administrator; Joseph Vlcek, chair, George Basbanes, Joan Simmons, Brett Rock, Planning Board; Carol Bacon, Affordable Housing; Jay Donovan and Beverly Woods, NMCOG

Housing Production Plan

Mr. Donovan reported to the Board on NMCOG's work with the Affordable Housing Committee to produce Dunstable's housing production plan. This is an update from the last work done in regards to 40B related housing. Housing production plans are set up for 5 years. This plan states how the town will develop affordable housing. 40B plans are a specific thing. This plan is how we hope to accomplish the 10 percent of housing stock in affordable housing as required by MGL like 40B. 40B is just a project, whereas the housing plan is a proposal for how the town intends to meet its required targets. With such a housing plan in place, a lot of 40B problems may be avoided. Ms. Hutton recommended thinking about it like a road map. Mr. Vlcek had some questions, which Mr. Donovan explained relate more to the Master Plan. Mr. Donovan then returned to discussing the housing plan and how it was founded primarily by grants. He then touched on how the document is divided into separate sections, such as a housing needs assessment, and other related matters. The plan, he elaborated, talks about infrastructure, zoning for residential use, and includes affordable housing goals and strategies. There are also housing production plan requirements like having 5 privately owned and 6 publicly owned parcels to be identified for development. There are maps in the document that show the location of the sites being discussed as well as relation to zoning.

The assumptions in the report are based on knowledge of the community and principally input from Affordable Housing. As subsidized units are built, the town will get credit. For every five units built, the town gets 1 year of safe harbor. Normally developers can come in and force a 40B development. If the town built 11 units in one year, the town would get a 2-year safe harbor period. Mr. Basbanes noted that this is important to the town. Proposals would still have to be heard, Mr. Donovan noted, but otherwise Planning could decide not to act safely. The safe harbor time runs starting after approval and issuance of building permits. There are some ways that the time might be stretched due to timetables relating to occupancy permits and so forth. Returning to the plan, it summarizes the housing stock in the town and has a schedule for moving towards the 10 percent goal. The Board noted that this process would give the town more control of the process. Mr. Donovan agreed that the town would have the opportunity to do "friendly" projects. Mr. Basbanes had some questions regarding what would happen if there were competing projects. If one was approved over the other, could the town put the other one off for a year? Mr. Donovan stated that the town could. He noted that currently the Affordable Housing Committee has an RFP out to try to work some sort of development in the MUD for affordable housing.

There is also work towards getting a grant for further feasibility studies. Adoption of a Housing Production Plan by Planning and the Board is necessary to continue working on this process. Mr. Donovan assured that NMCOG has a good relationship with the appropriate organs of the Commonwealth. Mr. Vlcek noted that the plan appears extensive and robust. Mr. Donovan gave some more background on the work done by NMCOG and Affordable Housing. Ms. Simmons noted some questions revolving around funding and the involvement of HUD. Mr. Donovan responded that HUD is not involved with this at all. Ms. Simmons noted that HUD has issued a new rule that could impact the process. Mr. Donovan responded that the HUD rule impacts fair housing under Federal Law not affordable housing. The Board noted that the issue revolves around funding in regards to whether the HUD issue impacts things. If Federal funds becomes involved it could trigger that. From there the Board moved on to discussing some existing housing that might qualify. Mr. Donovan elaborated on how that would work and what it would look like explained how that would impact affordable housing. Some units would be 40 years, some in perpetuity, and for rental units it would be 25 years. Mr. Rock

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noted some parts of the plan that he had some questions about. He elaborated on attempts by Planning Board to induce developers to include affordable housing in developments. Unfortunately the developers have refused.

Ms. Bacon noted that the town needs an inclusionary by-law in zoning. Ms. Hutton responded that the town has a general by-law that is inclusionary. She is working with town counsel to move the by-law, which as it exists is unenforceable, to zoning where it would be enforceable. Ms. Bacon highlighted the Town of Stow's inclusionary zoning by-law, which is very well written. This change will not occur at this town meeting, Ms. Hutton explained, but she intends to have it either for a special or for the next Annual Town Meeting. Mr. Donovan explained that NMCOG has worked with Chelmsford to pass one, and is working with another community to adopt one. The Board noted that some changes have to be done at Annual Town Meetings and cannot be done at Special Town Meetings. It was inquired whether this could be done at a Special Town Meeting. Mr. Donovan responded that it depends on the town. Ms. Hutton replied that this doesn't have to be done at the Annual like a Capital Planning by-law. There were some questions asked of Ms. Bacon regarding Affordable Housing work. She and Ms. Hutton elaborated on the RFP currently being worked on. Ms. Hutton in particular gave some specifics of the project. The project will include multi use, but at this point the focus is on 15 to 20 rental units for senior housing. There were then some resulting questions for Mr. Donovan regarding senior housing.

Mr. Donovan noted that since the town hasn't focused on senior housing in the past, it would be fine for the town to focus solely on senior housing. Ms. Bacon highlighted a survey that was done by Affordable Housing that found that senior housing is needed more than family units. Ms. Simmons inquired about whether all the units have to be affordable. Ms. Bacon replied that they don't have to be. Mr. Vlcek inquired that if we build a 20 unit housing structure, how many would have to be affordable. The answer was approximately 4. The Board noted that Dunstable is ripe for development, and the town needs to be prepared for it. While the town lacks a lot of infrastructure, this won't stop developers. The MUD has since inception been intended for development of this sort. Mr. Vlcek inquired into whether the design will be similar to what was proposed for the Best Triangle. Ms. Bacon responded yes, but that could change depending on what the RFP produces. Ms. Hutton elaborated further on the RFP, and noted that bids are due back this Tuesday, and about 30 companies have bid to do the feasibility study. The Board noted that the design for the MUD is different from Best Triangle, it won't necessarily require as compact a building. Ms. Hutton noted that at the town meeting, there will be a warrant article to revise funding for the RFP. Originally funding was for the Best Triangle, so all that will be done is move that over to the MUD. Discussion turned back to the purpose of the meeting. Mr. Donovan reminded that the purpose is to adopt the plan and sign the paperwork. Each board will vote.

A motion was made by Mr. Rock to accept the Housing Production Plan. The motion was seconded by Ms. Simmons, and passed without objection.

A motion was made by Mr. Alterisio to accept the Housing Production Plan. The motion was seconded by Mr. Leva, and passed unanimously.

Master Plan

Ms. Hutton started off by updating the Planning Board on the funding she has obtained for this program. Grant funds came from NMCOG, CPA, and the Community Compact Agreement with the Commonwealth. Community Compact funded \$20,000. CPA funded \$5,000, and NMCOG's work produced \$24,500. Ms. Woods then addressed the boards regarding the Master Plan. She noted that the last plan was written a number of years ago. MGL requires that every community have a Master Plan. MGL requires that it be updated every 5 years, but most towns don't keep to that schedule, most do it every 7 to 10 years. Large communities have the resources to update the plan more often. Dunstable is a smaller community that is stable from a growth viewpoint. A scope of work was prepared to outline what would go into the Master Plan document. NMCOG suggests the town have a robust public participation process. NMCOG has done this before, and has found that the more public involvement the better the plan is in reflecting the needs and desires of the community. And this helps implementation of the strategy. She suggests having a kick off meeting and strategy session. There will be a number of committees, boards, and commissions that will need to be involved. A Master Plan Committee will need to be formed, with a good cross section of representatives from various boards, committees, and commissions.

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As part of this, there should be a public forum to look at infrastructure, housing, and so forth. The Master Plan will look at more than just housing. It will look at other things like open spaces, natural resources, and the like. Ms. Woods suggests starting the kick off and vision sessions over the summer and fall. NMCOG is available whenever the town thinks it is appropriate. The Board inquired into the Master Plan Committee composition. Ms. Woods noted that the public forums and sessions will be open to anyone, but the composition of that committee will be important and should be a broad cross section of the town's organs. She also noted that NMCOG would be willing to present a small 5-minute presentation at a town meeting to help explain the process. There was a question of whether there would be enough time at the upcoming Annual Town Meeting. The Board felt that it would be very possible to bring forward this year. Mr. Rock noted that this is something that will provide the town a good map for the town, but this won't carry a lot of legal weight to it. However, he agrees that it should be done, and should encompass the feeling of the town. Ms. Woods responded that *there* is some legal benefit to the having the plan. Ms. Hutton supported this, noting that it will shore up CPC in administering CPA funds.

Ms. Woods reiterated that this would benefit the town financially. Mr. Basbanes noted the benefits of the Master Plan as well as a few of the political risks. Ms. Simmons inquired into the financing of the Master Plan again. Ms. Hutton again explained that it is paid for. Ms. Simmons noted that this would make it easier to pass at the town meeting. Ms. Hutton then took the opportunity to inquire with the boards about which committees, boards, and commissions should contribute representatives to the Master Planning Committee. Mr. Basbanes asked how many people would be required. Ms. Hutton suggested about 9 total; which Ms. Woods supported. She noted that if the committee is too big it makes the process unwieldy. NMCOG suggests 8-9 people. This would include entities like; Planning, BOS, Historical, Safe Pathways, and so forth (ask Tracey what the other ones are). She further recommends that others not contributing representatives would still be included in contribution. The Board noted how this process will work and how it will provide the town with some answers. The important part will be a focus. Ms. Hutton noted that there will be an All Boards/All Departments meeting that will allow this to be discussed further among the various organs of the town.

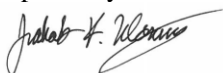
Planning will be hosting the Master Plan, Ms. Hutton noted. There was some discussion of times for future meetings of this sort as well as when to schedule any kick off events. Discussion then turned to what has changed from the past Master Plan. Ms. Woods explained what NMCOG would provide, including better data, and more information for decision-making purposes. The Board noted that this would also incorporate things that are requirements and starting to impact the town. The Commonwealth wants the towns to start to consider things like energy and climate change. So there are things that need to be incorporated that are modern compared to the last Master Plan. Ms. Hutton asked Planning Board to find a night/date when they want to schedule a kickoff meeting and any related meetings. They agreed to provide dates and times. The next step Ms. Woods explained will be to create a Master Plan Committee and then get them meeting. It was decided that there needs to be a kickoff meeting with all the various boards, committees, and commissions. It was agreed that work would be completed to get this and a committee in formation within a month.

A motion to adjourn the Planning Board was made by Mr. Rock. The motion was seconded by Mr. Basbanes and passed without objection.

A motion to adjourn the Board of Selectmen was made by Mr. Leva. The motion was seconded by Mr. Devlin and passed unanimously.

Both boards adjourned at 8:30 pm.

Respectfully submitted by



Jakob K. Hamm
Admin. Assistant to the Selectboard & Town Administrator

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