

**TOWN OF STOW  
STOW MUNICIPAL AFFORDABLE HOUSING TRUST (SMAHT)**

Minutes of the November 21, 2016 SMAHT meeting

SMAHT members: Mike Kopczynski, Quince Papanastassiou, Cynthia Perkins, Laura Spear

Housing Consultant: Leonardi Aray

Other: Valerie Oorthyus, Assistant Planner

**Call to Order**

The meeting was called to order at 7:07 PM.

**1. Meeting Schedule**

December 14

January 11

**2. Minutes Review & Approval**

Cynthia moved to accept the minutes of the October 12, 2016 meeting. Laura seconded, and the minutes were approved unanimously.

**3. Correspondence, Bills and payment**

Quince moved to authorize payment of \$1120 to Leonardi Aray Architects, invoice #160702. Cynthia seconded, and the motion was approved unanimously.

Cynthia moved to authorize payment of \$1500 to Stamski & McNary, invoice #40556, provided it hasn't already been approved. Quince seconded, and the motion was approved unanimously.

**4. Trustee Reports**

a) HPP acceptance: On October 20, 2016, the Department of Housing and Community Development (DHCD) issued a letter accepting our Housing Production Plan (HPP), effective October 14, 2016. The plan is good for five years.

Mike attended the 495 Metrowest Suburban Edge Community Commission meeting on November 18, 2016. The topic was housing, and the undersecretary from DHCD attended. One of the speakers presented a demographic overview of the suburban edge. Housing (not just affordable) and economic development go hand in hand. Our edge communities need help in developing infrastructure and transit to achieve both. All of the materials on housing will be posted on the organization's website.

Mike is meeting with state representative Kate Hogan and the head of the Councils on Aging (COAs) in the western part of the state to talk about the "deed restriction program," now referred to as an Equity and Tax Limitation Incentive Payment Program. Mike also spoke with state senator Jamie Eldridge. Mike is recasting this program as a "senior" program and provided draft ideas, knowing the program's definition and terms and conditions will evolve over time, based on further discussion. The trust discussed making this an age-related program versus an asset and income program.

SMAHT Minutes, November 21, 2016

Approved 12/14/16

Mike spoke with Doug Hyde, Chair of the Town Building Space Use Feasibility Study Committee, regarding the survey that the committee is conducting. Mike expressed interest in parcels for affordable housing.

The regional housing services agreement we have with neighboring communities is expiring at the end of calendar year 2016. The new Request for Proposal (RFP) is for 18 months for the first year so that we can map our contract to the Towns' fiscal year. The next regional housing services meeting is December 6 at 11 AM in the Stow Town Building. It was proposed that the selected vendor become the monitoring agent for affordable units. The deed rider identifies the monitoring agent, and the sense of the committee is that listing the regional housing services vendor as the monitoring agent is probably not the best decision, as the vendor may change over time. Valerie distributed minutes from the November regional housing services meeting. The inter-municipal agreement (IMA) may be expanded to include Devens. The Planning department wants help in estimating the number of hours we'll need for Stow services. Planning staff will meet with SMAHT's Chair and Vice Chair to review the agreement and hours Stow will need and to discuss local preference.

Cynthia sent a letter to the Gleasondale group (~60-80 people) to solicit membership for SMAHT. No one has responded yet. If we have a local project, we may get more interest. We still have two vacancies on the Trust.

Mass Housing Partnership is offering Municipal Affordable Housing Trust 101 training again on December 9 in Worcester.

#### **5. Multiple Affordable Homes Sales**

Stow has three affordable units at risk: 2 are facing foreclosure, and 1 is being auctioned next week.

a. Arbor Glen #19 – DHCD and Town Counsel have been in discussion about marketing and the timing for the town's waiving its right to purchase the unit. The marketing may happen prior to the town's waiving its rights to purchase. The monitoring agent gets 3% for marketing. The intent would be to find qualified buyers to keep the unit owned by someone who meets eligibility requirements for an affordable unit. Regardless of what happens, the affordability restriction will survive foreclosure, although the buyer may not be eligible.

b. Elm Ridge Road #12 – This is the most recent issue. We found out last week that this unit is facing foreclosure. It is unclear whether the Town has received notice. The deed does not survive foreclosure. Town Counsel needs to review the documentation.

c. Villages at Stow #40 – This is the most urgent one. In July, letters were sent to the Stow Housing Authority, which is moribund, and the Board of Selectmen was not copied. Town Counsel made a recommendation to add a rider that identifies the "Town of Stow" as the monitoring agent. In the meantime, an auction will be held on November 28 for this unit. The affordability restriction will survive foreclosure, although the buyer may not be eligible. Quince wants to review the deed rider in more detail. Mike may attend the auction for Villages at Stow unit. He'll check with Counsel.

SMAHT Minutes, November 21, 2016

Approved 12/14/16

The sense of the Trust was to use designated Community Preservation Act (CPA) funds for the Elm Ridge Road unit, because the unit would not remain affordable if it is foreclosed. There may be a winter Special Town Meeting where we would have the opportunity to ask for more CPA funding for the program.

## **6. Decision on RFP responses**

Various trust members and Leonardi followed up with contacting the references provided by Habitat for Humanity North Central Massachusetts, the respondent for our RFP for the "Pine Point" parcel. Fitchburg did in-fill on a private parcel, using HOME funds: \$185,000 for a duplex. Habitat had to bring a new road and utilities to the parcel. The development was as-of-right, and Habitat managed the development. Fitchburg liked the construction manager. The schedule could be a concern as it is subject to securing volunteers. Fitchburg had a different process, as it didn't have agreements that we will need. Fitchburg also requests that funds other than HOME are secured and included in the letter of commitment. Cynthia sent out comments from her conversation with Ayer. Laura spoke with Acton. No red flags resulted from any of the conversations with the references.

Mike and Leonardi talked with Carolyn Read, Executive Director, regarding the questions that the Trust had raised at our last meeting:

- CPA contact: The CPA funds were estimated based on \$100K in CPA funds used in Ayer, a smaller project. Habitat has not contacted Stow's Community Preservation Committee yet.
- Development agreement template: Habitat does not have a template per se but sent an example of a previous agreement. We also have copies of agreements from the reference communities.
- Details of conveyance: As a relatively new Executive Director, Carolyn hasn't been involved in one herself, but we have a conveyance agreement from Acton as an example.
- 2 bedroom units: Habitat prefers 3 bedrooms in general but is proposing two 2 bedroom units for this parcel. In this region, 60% of their developments are 3 bedroom units, 40% are 2 bedroom units.
- Stamski & McNary's plan or separate work: Habitat took what we gave them from Stamski & McNary and didn't change the footprint.

The consensus of the Trust is that we should include a timeframe in the development agreement for development. Habitat said at worst case, it would take 2 years of fund raising, 2 years from getting funds to starting the project, and 2 years to complete the project. However, the goal would be to complete everything within 2 years.

The Town Administrator said we should definitely get our own attorney as a good business practice. He suggested contacting other towns for recommendations. We won't need to issue an RFP.

Quince moved to accept the RFP from the respondent and designate Habitat for Humanity North Central Massachusetts as the approved vendor for the project, subject to a development agreement, Purchase & Sales agreement, and other associated agreements, Cynthia

SMAHT Minutes, November 21, 2016

Approved 12/14/16

seconded, and the motion was approved unanimously. Mike will send a letter of intent to Habitat for Humanity North Central Massachusetts.

The next step is to retain an attorney.

**7. Adjourn**

Cynthia moved to adjourn, and Quince seconded. The motion was approved unanimously. The meeting adjourned at 8:47 PM.

Respectfully submitted,

Laura Spear, SMAHT member

*Laura Spear*  
*12/14/16*

SMAHT Minutes, November 21, 2016

Approved 12/14/16