



# Town of Wayland Massachusetts

Members: Christine DiBona  
Anthony Boschetto  
Jerome Heller  
Daniel Hill  
Robert Morrison  
Rebecca Stanizzi  
William Steinberg  
William Sterling  
Michael Wegerbauer

## River's Edge Advisory Committee ("REAC") Meeting Minutes for Meeting of January 29, 2015

In attendance: Dan Hill, Rob Morrison, Becky Stanizzi, Bill Steinberg, Bill Sterling, Chris DiBona.  
Absent: Mike Wegerbauer, Tony Boschetto, Jerry Heller (chair).

Guests: Stephen Anderson and David Weiner of Anderson & Krieger, Nan Balmer, Wayland Town Administrator.

The meeting was called to order at 7:02 PM

No public comment.

Minutes of January 8, 2014: Minutes taken by Jerry Heller, Chair, had not yet been circulated for review by committee members. Agreed to postpone review and acceptance of minutes until next meeting.

Steve Anderson presented sets of the following documents based on feedback from prior meetings:

- Clean and cumulative refined draft of RFP
- Release for RFP Respondents attending the Site Visit
- List of documents needed from Town for RFP
- Clean and cumulative redlined redraft of the Land Disposition Agreement
- Right of Entry and License Agreement
- Repurchase Agreement
- Escrow Agreement

Brief discussion of list of documents needed from various town sources – Bill Sterling mentioned "Project Dog," an online project management resource for posting all necessary documents on one site easily accessible to bidders.

Mr. Anderson asked for any questions or comments from committee members regarding RFP changes and revisions.

**Section A (2)/RFP Schedule:** Bill Steinberg expressed concern that the proposed timeline is at least 30 days too aggressive. Given slow turnaround times for parts of the RFP process, we may be looking at a longer time period start to finish.

Discussion veered toward solicitation of bidders and Becky Stanizzi asked if we could directly approach developers with RFP who are seen as good candidates to bid on project. Steve Anderson

said this is permissible. Discussed compiling list of brokers who might be willing to circulate RFP to potential developers without assessing fees to Town for their services. Mr. Anderson feels that, once the RFP is posted, we will not have difficulty finding interested bidders.

**Section A (7)/Submission Process:** Discussed rationale of keeping rejected bidders “on the hook” for a period of six months before returning deposit. Mr. Anderson answered that the 180-day period is designed to give us working room without holding bidders for an unduly long timeframe. 180-day period also prevents bidders from quickly exiting once rejected and returning with a significantly lower bid if chosen developer fails to proceed and project must be re-bid.

**Section B (3)/Access Road:** Mr. Steinberg felt the language regarding the access road was too restrictive and should be rewritten to allow for possible alternatives submitted by developer. Reasoning for restriction is mainly due to desirability of having only one curb cut along that stretch of road. Language about access road will be “toned down” to allow for alternate proposals.

**Section B (7)/Taxes:** Discussed advantages of setting accurate expectations for bidders with regards to Wayland’s high tax rate. Agreed that RFP should allow bidders to calculate real numbers or as close as possible based on assessment of property.

**Section B (9)/Water & Sewer:** Mr. Anderson feels this is a thorny area and we must be careful about what is <sup>described</sup> ~~promised~~ in terms of <sup>potential</sup> ~~state~~ grant to fund water & sewer line running to Town Center plus a leaching field at River’s Edge. There is no guarantee this potential grant will be decided upon or issued prior to RFP period. Multiple scenarios are outlined and developers are asked to break down bids accordingly. After lengthy discussion on the merits of outlining various case scenarios or eliminating paragraphs, it was agreed to leave the wording as A&K currently have it in draft RFP and answer bidder questions in depth during Information Session.

**Section B (13)/Site Assignment:** This paragraph will be rewritten after DEP specifications are finalized.

**Section B (14)/Fair Housing:** Ms. Stanizzi questioned whether there should be further explanation of our expectations on how bidders might satisfy fair housing law. There are various means of compliance with FHL, but we want to make it clear to bidders that alternative solutions are welcomed. Mr. Anderson said he was comfortable with the wording as is since relevant developers will be familiar with FHL and must own the burden of compliance when making proposals.

**Section B (17)/Closing:** Agreed to strike wording, “..and has secured necessary financing for the Acquisition of the property and the construction of the Project.”

**Section E (1E)/The Project and the Work:** Current wording affords Site Plan approval to Board of Selectmen, but REAC agrees as a whole this is not really the jurisdiction of BOS. Change BOS to “Town” in order to widen scope of who will approve Site Plans.

**Section E (6G)/Senior and Affordable Housing Requirements:** Mr. Steinberg asked if we could emphasize our interest in local preference in this paragraph further than it is currently stated. Mr. Anderson responded that we are not allowed to do anything beyond the extent of Mass. Law, and in, fact, DHCD may no longer allow local preference for housing applicants at all. Selected developer must follow DHCD fair marketing plans which are strictly governed.

**Section E (9)/Enforcement of Covenants:** Mr. Hill asked for revision of Item C which states the developer will, “use the Property solely for residential rental housing as provided in this RFP.” The committee has previously agreed that accessory use by the Town may provide desirable community features (such as a café) and the RFP should not restrict building use as solely residential.

At this point in the meeting, Mr. Anderson asked that committee members give thought to how the RFP evaluation criteria will be applied. We should have an idea of what we really want in the final project and come to some sort of an agreement as a committee about the most desirable aspects of River’s Edge. It was agreed that we are interested in leaving the specs open to creative interpretation by bidders, and a number of committee members felt we would “know the best proposal when we see it” even if we can’t specifically define all of our wants in advance.

In discussing “most desirable” criteria, there is consensus that this will include a bidder hitting all necessary 40B targets, allowing for a broad range of income levels rather than targeting high-end renters, and successfully providing an attractive “visual gateway” into Wayland. Bidders scoring in the most desirable category will ideally propose a wide variety of amenities along with features accessible by the town at large, thus weaving River’s Edge into the existing community.

Although the evaluation criteria must be worded to give a uniform, objective basis on which to judge bidders, A&K understands REAC’s interest in encouraging creativity and needing a certain amount of subjectivity to evaluate potential projects. The RFP will be carefully worded so as to allow creativity while protecting us if evaluation criteria are contested in the future.

The process of bid review was discussed: when bidding period ends, REAC will review all bids on a qualitative basis and rank them accordingly. At that point, price bids will be opened and REAC will make our recommendation of most desirable integrated bids to the Board of Selectmen.

Discussed the merits of setting a “minimum bid” to set parameters at the outset. Mr. Anderson disagrees with doing this and feels that educated developers will evaluate assessment and appraisal and determine reasonable value without prior figures being set forth.

A meeting has been tentatively scheduled to submit the final draft RFP to the Board of Selectmen on Monday, February 23. A&K will be present at this meeting.

REAC will hold a prior meeting on Tuesday, February 10 at 7:00 to further discuss design guidelines and evaluation criteria before A&K finalizes RFP.

Meeting was adjourned at 9:37 PM.