

Newburyport Affordable Housing Trust
Meeting Minutes

Meeting Date: Wednesday, July 15, 2015
Meeting Location: Mayor's Conference Room, City Hall
Members in Attendance: Madeline Nash, Karen Wiener, Judy Tymon, Susanne Cameron
Members Absent: Mayor Holaday
Staff Present: Kate Newhall-Smith, Planner
Minutes Taker: Kate Newhall-Smith

Tymon called the meeting to order at 6:30 p.m.

Approval of Minutes:

The draft minutes from the May 21st meeting were reviewed. Nash makes a correction. Nash made a motion to approve as corrected, seconded by Wiener. All in favor (voting members: Cameron, Wiener, Nash).

Discussion: Minimum Standards for Affordable Units:

Tymon asks if the Trust wants to include extremely detailed specifications in the zoning ordinance since this could potentially be too regimented and could prevent the flexibility needed when working with small developers and non-profit organizations.

Nash states that DHCD has minimum square footage requirements, which the Trust could use. However, there may be situations where the Trust would not want to use these standards. The Trust could adopt guidelines or regulations rather than include standards in the Zoning Ordinance. It will be helpful to provide guidance to developers before they get too far into the design/permitting process.

Cameron states that there could be specifications in the standards but not exacting ones.

Nash states that the Trust should see plans very early in the design process, but needs to be realistic and recognize where the developer is in planning stages; oftentimes developers will not create fully-designed plans until they have an idea of how the permitting and financing processes will go.

Wiener states that minimum standards may be good if codified in the ordinance.

Tymon asks that if there are minimum standards, would they address issues that may arise regarding the actual livability of the affordable units being created.

Nash states that asking to see plans early in the process is necessary. Standards shouldn't be too vague since a goal is to try to give a developer clear direction. The Trust wants to ensure that the affordable units created are desirable and meet the needs of the community and the family that will live in them.

Tymon states that the Trust can adopt its own regulations rather than include them in the zoning ordinance. Wiener responds that if regulations/standards are not in the ordinance then developers will not be beholden to them and required to discuss the plans with the Trust.

Cameron wants to create an efficient process.

Wiener believes that the zoning ordinance can include basic details for affordable units but allow for flexibility when working with smaller developers and non-profit organizations.

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Nash states that if the Trust would like to include standards in the zoning ordinance, they may include the minimum square footage requirements as listed by DHCD and possibly include the minimum bathroom count that Boston uses. Rather than dictate that interior finishes in the affordable units be identical to those in the market-rate ones, she would prefer to maintain identical exterior finishes among the units. She also believes that a meeting between the developer and the Trust needs to be a mandatory requirement.

Nash asks about the Trust specifying levels of affordability and whether or not they should define this. If developer isn't using public funding, then the DHCD affordability requirements will not automatically apply to the project. Tymon responds that specifying levels of affordability is a good thing.

Cameron asks if DHCD considers both family size and income when determining eligibility. Wiener confirms that HUD and DHCD consider both factors.

Wiener suggests referencing DHCD's standard/definition of affordability by including the phrase "Affordable housing as defined by DHCD" or similar. Nash agrees and states that mentioning deeper levels of affordability may not be necessary; consistency with DHCD should be sufficient.

Nash states that the standards should start with a definition, include basic numbers regarding unit size, list required plans and documents that must be provided, and also language regarding the design of the units and their comparability with the market rate ones. It is important to include a requirement to meet with the Trust either before plans are submitted to local permitting bodies or shortly thereafter.

Wiener states that units that are affordable should be listed on SHI, especially if the City is involved in the project the units should be listed.

Nash states that if a unit is listed on the on SHI, then it must have a deed restriction. She asks if there is a mandatory number of years that a unit must be deed restricted? Wiener believes that there is a minimum number of years required. Nash would like to see the deed restriction mirror that of the funding source requirements. If a project is not using public funding, then it will need to meet whatever requirements the state has for listing a unit on the SHI.

Smith will look into the SHI requirements for deed restrictions and will begin drafting the standards based on the discussion.

Updates:

- a. **40R Regulations:** The latest draft of the application was submitted on June 12th with a second public hearing held on June 17th. The City has posted all of the documents on the website. The next public hearing is set for Wednesday, August 5th. The purpose of the hearing is to review and address concerns from the community and from the State regarding the latest submittal.

Tymon states that she will likely attend this meeting.

Nash asks about renderings of the proposed maximum build-out of the district. Smith responds that Director Port is communicating with an architect who may be able to provide renderings of what the district could look like if it is developed to its full potential. Smith also states that MVPC is working on a traffic analysis of the Route 1 area, the school department is compiling information regarding trends in the numbers of school-aged children and the sewer department continues to work out the details regarding capacity at the Graf Road lift station and design of an upgrade to accommodate growth in the 40R and throughout the area of the City that is serviced by the station.

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- b. Zoning Rewrite Project: The Zoning Advisory Committee (ZAC) has met twice and was scheduled to meet again on Thursday, July 16th but was rescheduled for the following week on July 23rd. The majority of the work to date has focused on the zoning map and use table and how to modify these documents as well as reviewing a draft table of contents/outline for the revised document.

Smith will speak with the consultant to let her know that she and the Trust are developing standards as discussed earlier in the meeting.

- c. Housing Resales: There are currently no affordable units for sale at any of the complexes. The Trust discussions the units at Maritime Landing and how to proceed should one become available for resale with Kerri Perry resigning from her coordination/income qualification duties. Smith will take on income qualification for applicants at Maritime Landing. Smith will call the two realtors suggested by Kerri and Susanne and will discuss whether or not they would be willing to list a unit on the MLS for the Trust when one becomes available. Smith will look into the past contract between Kerri and the City that states the payment for this service.

The Trust discusses the graphs detailing the recapture amount if the two Foundry units are sold at market-rate. The City will only receive a couple thousand dollars since all of the other funders also receive a portion of the profits between the affordable rate and the market rate.

Smith will review the deed restriction to see if unit must go back to affordable if not sold on market within a certain time period.

- d. Fund Balance: There have been no significant expenditures in the weeks since the last Trust meeting.

Next Meeting

The Trust has rescheduled its meeting from Thursday, August 6th to September 17th.

Wiener makes a motion to adjourn, seconded by Mayor. All in favor.

Meeting adjourns at 8 p.m.