



# DANVERS AFFORDABLE HOUSING TRUST

TOWN HALL, DANVERS, MASSACHUSETTS 01923  
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## Minutes September 17, 2014

**Attending:** Gardner Trask, Sally Calhoun, John Alden, Donald Gates and Stacey Bernson

**Staff:** Susan Fletcher and Francine Butler

**Also Attending:** Kate Day

### Minutes of August 20, 2014

A motion was made, seconded and unanimously voted to approve the minutes of August 20, 2014 as written.

### Zoning Initiatives

Kate Day thanked the Trust for the completion of the Housing Production Plan and congratulated the Trust in seeing the process through.

She told the Trust that they were approached in June by the Metropolitan Area Planning Council (MAPC) who had learned about another opportunity being offered by the Department of Housing and Community Development (DHCD). The DHCD was offering a \$15,000 grant through the Priority Development Fund to focus on the analysis of downtown zoning. Now that the Town has been awarded the grant, they contracted with MAPC to work on this. The MAPC were partners in the Tapleyville and Danversport rezoning efforts, and they have gotten to know Danvers. The only cost to the Town is a \$3,000 match, and that can be accomplished through in-kind services. Years ago there was a lot of industry in the downtown area. In 2003, a study was done to see if the zoning was still relevant and the areas for consideration included, Tapleyville, the Port Area and the downtown. Danversport was the first project. The Tapleyville rezoning was a classic mixed-use zoning which passed unanimously at Town Meeting. This was a testament that the Planning Board had done a good job with the workshops and public meetings, which kept everyone well-informed prior to it coming to Town Meeting.

Day said that the concept is to look at the existing zoning in the downtown area. She handed out a map of the current zoning in this area, which showed the area from Route 62 to the South is industrial. The Maple Street corridor is commercial and Commercial 1A. There is a large industrial area on High Street that goes down to Route 128. The Planning Board needs to define the scope of the study area. Many Town committees will be involved in this project, with the Planning Board

taking the lead. The scope will be from Route 62 down to Route 128. They could go to a smaller area, but in order to do it justice they need to think about the two industrial zones.

Trask asked what the grant was specifically to study. Day responded that it is to look at downtown zoning with a consideration towards mixed-use.

Day stated that they will look at the options for change. The MAPC crafted the basics on the Tapleyville rezoning with numerous modifications. There is an appreciation with what mixed-use can offer the Town, and the building across from McKinnon's is a great example.

Day stated that they will need to think about a mixed-use concept or overlay concept. In the Danversport area, advocates were determined to change the underlying zoning. Tapleyville was an overlay concept that won the support of the major property owners in the area. Calhoun said that these are long standing districts and felt it called out for an overlay. Day stated that by Tapleyville becoming an overlay area, it should help the downtown area.

Day stated she would keep the Trust informed. The Planning Board is going to have the first discussions on this, and the first public meeting will be November 25<sup>th</sup> for a workshop. The MAPC is coming to Town this Friday for a site visit to walk around the downtown area to see existing conditions.

Trask asked if they were trying to get on the May Town Meeting, and Day responded that she felt this was not achievable. They will be happy if they finish in June. They want to go slow to do it right. They will get the discussion started in November, and have a second public meeting in March. The MAPC will work with staff in the interim. Day stated that they would be looking at next summer to have MAPC recommendations and allow time for modifications. They would probably look at going for a winter Town Meeting with zoning articles if we decide to proceed with this. It depends on public support.

A discussion ensued concerning the timing of the Town Meeting.

Day stated that the Planning Board will proceed with their information gathering and that MAPC also has a deadline to consider.

Calhoun asked if the thought of the overlay district would be industrial commercial use on lower levels with residential on top.

Day responded that currently in the table of allowable uses, there are no residences allowed in the Industrial area in the downtown. Day stated that there are a lot of vacancies on the second floor of Commercial -1 areas, and many people are looking for offices to fill this space. We learned from the Tapleyville process that there is support for a mix of commercial/industrial/residential.

Fletcher stated that in the last couple of years, property owners have approached the ZBA for variances to allow for residential use in commercial/industrial zoning districts. Sometimes an affordable unit is required by the ZBA, and sometimes it isn't.

Day felt the zoning should be an expression of what is wanted in the downtown. The community should be establishing what they want for land use parcels in the downtown.

Day said that the affordability provision is tied to multi-families. There is an inclusionary housing requirement, but when an applicant goes to the ZBA, the requirement does not prevail. We have talked with the Planning Board about adding language to the zoning bylaw, but this cannot be done legally since a variance is discretionary.

Day pointed out the most recent example was the Jones Boys project on Cherry Street. It did not allow for the discussion or provision for an affordable unit.

Trask said that DAHT cannot compel conditions on a variance. He asked if the ZBA can impose conditions in their deliberations, and Day responded yes.

Calhoun asked if the Trust could meet with the ZBA, inform them that the goals are to promote affordable housing, and ask them to please include affordable units in the process of giving out variances. She felt they could try to prevail upon them that this is a policy that the Town has expressed, and to please include affordable units when possible.

Alden felt the Trust needs to educate people of the need. He felt they need to encourage the ZBA to help meet the needs.

Day said that they have met with the ZBA to talk about their work and the Planning Board work. The two boards have had discussions about the affordable provision.

He asked the Trust if they felt they needed to be proactive. If there is an identified agenda item relating to multi-families in any manner, the DAHT should be notified to go to the meeting. Maybe after a few meetings, they will understand that this is something that should be added as a condition right out of the gate.

Day stated that the developer for the Clark School has agreed to 20% affordable units.

Bernson felt that most people think Section 8 when they hear "affordable". A lot of people who grew up in this Town are looking for an affordable place to live.

Day stated that there has been a strong interest in the mixed-use developments. Engineers and developers are interested in this effort and where it is going. In the meantime, you may see this type of development is very marketable, so they may see a number of these variance requests. She felt they needed to be vigilant.

Alden asked if an applicant would need to come before the Planning Board for a change if it was an overlay district. He confirmed that the zoning change would make it by-right and that Zoning relief would not be required.

Day stated that for up to five units, a unit does not need to be provided. Once you hit a certain threshold, the developer should be able to afford to include an affordable unit. She noted that a Special Permit is not by-right and does require a review by the Planning Board. She pointed out under the Tapleyville zoning; there are a number of uses that are allowed by-right that would not be allowed in an Industrial Zone. The Planning Board is comfortable granting Special Permits because it gives the Planning Board a little more opportunity to negotiate with the developer.

Day felt they will have a few projects to show people once the Jones Boys project is constructed along with 12 ½ Cherry Street.

Calhoun stated she was thinking about the article written concerning the changing demographics because of the homeless population in Town.

Fletcher stated that only 25% of 40B projects are affordable; 75% are market rate. People think it is 100% indigent people. They need to keep reminding people.

Trask stated that the Kirkbride numbers have gone up, and there is a component that is affordable. There are a lot of people in a condensed area, and it colors your opinion because it is a volume issue.

Fletcher hoped that maybe the police department could pull out of their data a compilation of incidents per capita. This is part of educating people.

Trask stated that the homeless housed in motels have a higher per capita of incidents.

The Trust thanked Day for her presentation.

Trask asked about the Housing Production Plan.

Fletcher felt they were a week away from receiving the official letter approval. There were two minor changes noted by the reviewed at DHCD.

Calhoun asked about the discharge discussed at the last meeting. Fletcher said that they did receive money for the payoff of the loan since this was a cash-out sale. It seems that housing insurance companies drive by homes, and when they drove by 70 Liberty Street they saw a lot of problems with the property which triggered a bigger review. The insurance company demanded all the necessary repairs be done, or they would not be insured. The homeowner could not comply, so they sold the property.

Fletcher stated that this amount increased our HOME funds. There are six new purchases at Rose Court. There will be \$4,300 left in HOME funds. Gates confirmed that these were soft-second loans.

Fletcher said that these HOME mortgages relieves the buyer from the requirement to have PMI.

Trask asked if there was a waiting list at the Swing Away property. Fletcher did not know. Trask asked if she could find out.

Fletcher said that she would pay the bill in full regarding the Housing Production Plan.

Calhoun asked if they would get a copy once the plan was signed, and Fletcher said yes.

Trask said to send a copy of the approval of the Housing Production Plan to the Selectmen and Planning Board. If they want a copy of the plan, it can be provided.

## **Updates:**

### **Conifer Commons**

Fletcher said that this was in the process. It will be approved, and the Town will be over the 10% requirement.

### **356 Andover Street**

Fletcher said that she is almost ready to submit the application. She said that you need to show how it was a subsidy by some arm of the State or Federal Government. The developer stated that Mass Housing was involved, but it was not a financial subsidy. She has all the rest of the documentation that they need, and she has spoken with the DHCD. Bernson pointed out that the units were subsidized with HOME funds.

### **24 Cherry Street**

Fletcher said that she needs to follow up since she does not know where this project is in the process.

### **River Street and Holten Street**

Fletcher said that both of these projects have been submitted to the DHCD, and she has not heard that there are any problems.

Trask asked about the Habitat for Humanity project on Mill Street. There was a problem getting that application submitted. Fletcher said they will start the process of getting the units submitted, and they will get them on the SHI.

Concerning the Venice Street units, Calhoun asked how the developer was doing selling his condominium units on River Street. Alden said that the gas line issue had been resolved. They are working on the sea wall. Fletcher said she would check how the units are selling.

Trask asked about the lottery for these Venice Street units. Fletcher said that she knows that they have submitted their documentation to the DHCD.

Fletcher stated that since there is now a trust, there are two things that need to be taken care of. Charles Desmond has resigned as a Trustee, and Stacey Bernson has been appointed Trustee. Forms will need to be signed to be recorded with the Registry. She also stated that the Trust needs to appoint her as a signatory to sign certain documents when she goes to closings.

The Trust confirmed that the next meeting will be held on October 15<sup>th</sup>.

A motion was made, seconded and unanimously voted to adjourn the meeting.

The meeting adjourned at 8:35 p.m.

Tish Lentine  
Clerk