

BOARD OF SELECTMEN

Steven P. Rose, Chairman
Eric S. Beckerman, Clerk
Jason L. Suzor, Associate

Gregory S. Enos
TOWN ADMINISTRATOR

Town of Avon Massachusetts



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TOWN OF AVON

2021 DEC 17 A 9:24

TOWN CLERK

**BOARD OF SELECTMEN
WORKSHOP MEETING
NOVEMBER 30, 2021 at 6:00 p.m.**

Members Present: Steven P. Rose, Chairman
Eric S. Beckerman, Clerk
Jason L. Suzor, Associate

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant (via videoconference)
Robert Borden, Building Inspector
Charles Comeau, Planning Board Chair
Brian Winner, Esq., Mead, Talerman & Costa
Brian Campbell, A&B Campbell Realty, LLC
Brian Dunn, MBL Land Development & Permitting, Corp.
Paul Cusson, Delphic Associates
Justin Williams, MBL Land Development & Permitting Corp.
Rick Jordan, Finance Committee Member

Chairman Rose called the meeting to order at 6:00 p.m. with all members present. He stated that the purpose of tonight's Workshop Meeting is to begin a preliminary discussion on a potential Friendly 40B project located on Central Street.

Mr. Cusson introduced himself to the Board. He stated that his client, Brian Campbell, of A&B Campbell Realty, LLC currently owns an apartment complex named "Brave Estates" located at 188 Central Street consisting of two triplex buildings (with three units each) and one large building (with eight units) totaling 14 units. Mr. Cusson informed the Board that Mr. Campbell would like to expand on the property to include four new buildings. Mr. Cusson stated that the proposed plan includes two buildings (with eight units each) and two buildings (with ten units each). Mr. Cusson stated that in total the development would be expanded by 36 additional units, nine of which would be designated as affordable meeting the 10% requirement for a 40B Project.

Mr. Cusson stated that the composition of the new proposed units would be 16 (one-bedroom units, four of which would be designated as affordable), 16 (two-bedroom units, four of which would be designated as affordable), and 4 (three-bedroom units, one of which would be designated as affordable). Mr. Cusson stated that Mr. Campbell is proposing the 36 additional units be permitted in accordance with the Department of Housing and Community Development ("DHCD") – Local Initiative Program ("LIP"), which is known as a Friendly 40B.

Mr. Cusson informed the Board that there are two ways to proceed with a 40B Project. The first option, the Friendly 40B is what his client Mr. Campbell is pursuing with Brave Estates. He stated that a

Friendly 40B is filed with the DHCD. The application for the project is signed by the Board of Selectmen which gives the Board more control over the process. Mr. Cusson stated that application would state that Board's approval that the site location and density for the project is appropriate. Mr. Cusson stated that once the local initiative gets signed and submitted, the DHCD will thoroughly review the application. Should the project be approved, the next step would be that the DHCD will issue a Site Eligibility letter which would be submitted to the Zoning Board of Appeals to begin the permitting process. Mr. Cusson stated that ultimately the ZBA would still have authority over the 40B and would issue the final approval for the project.

Mr. Cusson stated that the second option to file a 40B Project is through the Massachusetts Housing Finance Agency under the New England Fund Program ("NEF"). Mr. Cusson informed the Board that this is option that was used for the Joanna Hills Estates 40B Project currently underway. Mr. Cusson stated that the Board is not as directly involved in the project if filed this way as the application is submitted directly to MA Housing without the Board's input at the onset of the project. Mr. Cusson stated that through this option, the Board would submit their comments in a letter to the Zoning Board of Appeals, who would still have authority over this type of 40B project and issue the final approval.

Mr. Cusson submitted a binder to each Selectmen and the Town Administrator containing their application materials including detailed proposed architectural plans, proposed rents, and a list of preliminary waivers for the ZBA. The Board had not reviewed the materials previously. Mr. Winner informed the Board that should they agree to this project, they would establish a Land Development Agreement, which is a contract between the Board and the applicant. Mr. Winner stated the agreement would not supersede any necessary steps in the process, nor does it take any authority away from the Zoning Board of Appeals. This agreement would be submitted with the application to the DHCD.

Chairman Rose opened the meeting for questions. Mr. Enos informed Mr. Cusson that the Town does have a Housing Production Plan ("HPP") in place and if this project would affect the plan. Mr. Cusson stated that he would review the HPP, however, the plan needs to be certified with the state. He stated if the plan is not certified, that is the next step that the town should take regarding the HPP.

Mr. Borden asked what the annual income level is to qualify for affordable housing. Mr. Cusson stated that it changes every spring as dictated by the federal government but the average income level currently for a family of four is approximately \$85,000.

Mr. Jordan asked on how many acres is the lot on Central Street to which Mr. Cusson replied that the lot is 6.4 acres.

Mr. Williams reviewed the proposed plan on the monitor for the Board and members of the viewing audience to see. Mr. Williams stated that the three existing buildings would remain on the property with two additional buildings to be constructed in the front of the existing structures on each side for a total of four new complexes. Mr. Williams specified that all buildings (existing and proposed) are two-story buildings. Each unit will be designated two parking spaces with additional spaces available, which will more than meet the requirements as specified by the Zoning Board of Appeals. Mr. Williams stated that the proposed new buildings include a drive under garage with available spaces, the specific number still to be determined for the eight-unit buildings. The two proposed ten-unit buildings will have a basement. The two proposed eight-unit buildings will have unfinished basements.

The property abuts the Town of Stoughton and Route 24. The property is also located near the Brockton Reservoir. Mr. Williams stated that according to the Department of Environmental Protection, there are wetlands on the site in three locations. Mr. Cusson stated that although the project would have no impact on the wetlands, they would still need approval from the Conservation Commission for construction near the wetland lines. Mr. Williams stated that although no soil testing has been done yet, Brave Estates

would have its own septic system. Mr. Williams stated that there are already eight-inch water lines on the site in preparation for this project. In addition, curb cuts were performed prior to the Central Street Rehabilitation Project as the newly paved road now has a five-year moratorium. Gas lines have been established as well. Mr. Cusson informed the Board that this is a substantial plan, and his client was ready to proceed with the next step in this project.

Mr. Enos recommended that the Board review the binder materials submitted by the applicant and direct any questions or comments to the Town Administrator. Mr. Winner agreed with Mr. Enos that the Board should review the proposed plan prior to a vote on this matter. Chairman Rose agreed with the recommendation and set the next Workshop Meeting on this matter for December 9, 2021 at 5:30 p.m. at Town Hall.

Mr. Beckerman requested that the record reflect as a matter of full disclosure that his family rents a property from Mr. Campbell. Mr. Beckerman stated that he has contacted the State Ethics Commission and he has filed a Disclosure Form with the Town Clerk. Mr. Beckerman stated that he has received permission from the State Ethics Commission to vote on this matter as he has no financial interest in this matter and can remain impartial.

Adjournment

Mr. Beckerman made a motion to adjourn the Workshop Meeting at 7:15 p.m. Mr. Suzor seconded the motion. A roll call vote was held. Mr. Suzor voted aye. Mr. Beckerman voted aye. Chairman Rose voted aye. The motion carried.

Respectfully submitted,



Shanna M. Faro
Executive Assistant

List of Documents

1. Brave Estates 40B Project Binder