



# Town of Sudbury

## Community Preservation Committee

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### MINUTES

**MARCH 20, 2019**

**SILVA ROOM, FLYNN BUILDING, 278 OLD SUDBURY ROAD, SUDBURY, MA**

**Members Present:** Chairwoman Sherrill Cline, Lynne Remington, Scott Smigler, Pat Brown, Diana Warren Thomas Friedlander, Eric Poch, and Nancy Kilcoyne.

**Members Absent:** Mara Huston

**Others Present:** Adam Duchesneau, Director of Planning and Community Development; Jesse Kanson-Benanav, Senior Project Manager at B'nai B'rith Housing; and Elizabeth Rust, Regional Housing Services Office

At 7:00 p.m., Chairwoman Cline called the meeting to order.

#### **Review Grant Agreement for The Coolidge at Sudbury Phase 2 Housing Project**

Chairwoman Cline opened the discussion and stated Ms. Rust, Regional Housing Services Office Consultant and Mr. Kanson-Benanav, Senior Project Manager B'nai B'rith Housing were present to speak on behalf of the Grant Agreement for the Coolidge at Sudbury Phase 2.

Ms. Liz Rust explained the Grant Agreement for Community Preservation Act Funds between the Town of Sudbury and the Coolidge project. Ms. Rust explained that grant agreements have been used by other Towns and this is the first time Sudbury will be using this model. The Grant Agreement was formed with some guidance from the Community Preservation Coalition, and reviewed by Town Counsel, the Coolidge representatives, Adam Duchesneau and Chairwoman Cline.

Ms. Rust stated the Grant Agreement is presented to the Committee for their review. Ms. Rust explained the Grant Agreement would be executed after approval of the CPA appropriation at Town Meeting but the funds would not be available until July 2019.

Ms. Rust explained the project closing and funding with the State funders is scheduled to occur in April 2019.

Chairwoman Cline asked Mr. Kanson-Benanav if he had anything to add. Mr. Kanson-Benanav stated he is grateful on behalf of B'nai B'rith Housing for the support from the Town of Sudbury, through the CPA funds, the Housing Trust funds, and the West Metro Consortium. The project is moving quickly towards closing. Mr. Kanson-Benanav noted there has been no change in construction cost which is reflected in the budget.

Ms. Rust explained that because the State required that the developer present a balanced budget at the closing, and because the CPA funds were not guaranteed, the State would not allow them to be included

in the budget presented at closing. Therefore, the developer had to carve out items that would equal the \$320,000.00 proposed from CPA funds.

The three items that are not in the current construction budget include: the Hardi Plank siding to be used for the entire exterior of the building instead of vinyl siding; Laminated vinyl tiles to be used in the entire living area of the apartments instead of carpeting as carpet poses a trip hazard and holds allergens; and Irrigation for the landscaping so that the appearance of the property is attractive to the public.

Ms. Rust noted these items were originally part of the overall project that was reviewed and approved by the Zoning Board of Appeals.

Ms. Remington asked if Mr. Kanson-Benanav would receive this funding when the project is completed. Mr. Kanson-Benanav stated they would bill for these items once the items are completed.

Mr. Smigler asked when the Building Permits will be obtained. Mr. Kanson-Benanav stated they are in the process of pulling the Building Permits now and he is hopeful they will have the Building Permits in April 2019. Mr. Kanson-Benanav noted the permits are required to be obtained prior to the closing on the funding.

The second question asked by Mr. Smigler was how long does the developer have after obtaining the Building Permit to get the Certificate of Occupancy in order to keep the apartments on the Subsidized Housing Inventory (SHI). Ms. Rust stated 18 months.

Mr. Smigler referred to item number 12 of the Grant Agreement which allows the developer 30 months for completion. Mr. Smigler asked if that would leave Sudbury exposed to other 40B development for 12 months?

Mr. Kanson-Benanav stated that the 30-month time period was longer than anticipated as the construction schedule was for 16 months. After some discussion, it was agreed that the three items in question would be completed within 18 months.

Ms. Rust noted the change to line item # 12 will be 18 months.

Mr. Smigler asked for clarification on line item # 1 of the Agreement in regards to availability for "low-income seniors and disabled persons". Mr. Kanson-Benanav stated it is for low-income seniors and older adults, and there are 4 handicap accessible units per the State Building Code and Americans with Disabilities Act. Mr. Kanson-Benanav noted there is not a specific target for disabled persons in this project beyond the 4 units. Mr. Kanson-Benanav further noted they are not allowed to restrict a person under 55 years old from residing there as long as each household has a person who is 55 or older. However, all the apartments are one-bedroom units.

Ms. Rust clarified that if you were disabled but not over 55, you could not live in Coolidge.

Ms. Warren noted some inconsistencies with the wording in the Agreement. Ms. Warren noted in line item # 6 it refers to CPA funds and item # 7 refers to Sudbury Community Preservation funds. She suggested that they should read consistently as: Sudbury Community Preservation Act funds. Ms. Warren stated it should be corrected in items # 6, 7, 8 and 9.

Ms. Brown asked if the signs noted in item # 8 would meet with the sign bylaw. Ms. Rust stated the signs would be provided by the Town and would meet the requirements.

Chairwoman Cline suggests the Committee vote to approve the Agreement as amended.

Mr. Smigler asked if there were any requirements regarding the submission of annual reports. Chairwoman Cline stated there was a policy in place for any recipient of CPC funds to submit reports and does not feel it has to be incorporated into the Grant Agreement.

Chairwoman Cline stated Coolidge would not be required to submit the report until the Fall of 2020. Mr. Kanson-Benanav asked if that would be an ongoing requirement. Chairwoman Cline stated it is annual and only for money that has been spent. Ms. Rust confirmed with the Committee the report is only required while there is an open balance. Chairwoman Cline confirmed, yes.

Mr. Duchesneau reviewed the changes to the agreement and verified that Paragraph 12 will read that the Certificate of Occupancy will be obtained within 18 months of the issuance of the Building Permit.

On motion duly made by Ms. Remington and seconded by Ms. Brown, it was VOTED unanimously to accept the Grant Agreement as amended.

#### **Presentation of Town Meeting Warrant Articles**

Chairwoman Cline stated the wording of the Warrant Articles had been reviewed by Town Counsel and the changes made reflected no substantive changes. Chairwoman Cline reviewed and approved the Articles with the authority given by the Committee at the January 2019 meeting.

Chairwoman Cline will be unable to attend and present the Articles at the joint meeting with the Finance Committee and the Board of Selectmen.

Chairwoman Cline will be able to attend and present the Articles at the Selectmen's meeting April 9, 2019 and the Finance Committee meeting on April 8, 2019.

Mr. Duchesneau confirmed the Capital Improvement Advisory Committee (CIAC) wanted a presentation on the Article regarding Coolidge. Chairwoman Cline stated she asked the CIAC to invite Ms. Rust and Mr. Kanson-Benanav. Mr. Duchesneau will follow up on this.

#### **Administrative Report**

No report at this time.

#### **Approval of Minutes January 16, 2019**

On motion duly made by Mr. Friedlander and seconded by Ms. Remington, it was VOTED unanimously to accept the minutes of January 16, 2019 with the changes made by Ms. Brown with the exception of the sentence on Page 4 regarding the use of free cash. Mr. Smigler abstained from the vote.

On motion duly made by Mr. Friedlander and seconded by Chairwoman Cline, it was VOTED unanimously to adjourn the meeting at 7:32 p.m.