

Minutes from February 13, 2014

Attendees – Tom Boussy, John DePinto, Angelo Mangino, Jim Sullivan, Bob Verner & about 10 members of the public

Item 1 – Approved meeting minutes from November 26, 2013 meeting – all in favor

Item 2 – Review of the Corcoran’s revised plans (a plan view & aerial view)

Tom – this is what we are looking at, main change is addition of 3 3-story townhouses, in lieu of 3 buildings going a different way, with the clubhouse moved a bit. One drawing doesn’t show all the parking spaces. Looks like there is garage parking, but can’t tell for sure.

Jim – confusing as the 2 plans don’t reconcile ; Where is the garage in this rendering? Is it a garage or covered parking where those trees are? The nature path looks like it’s in an area currently under water. I’m pumping water out of my basement right now & that doesn’t usually happen in the middle of winter!

JDP – what’s going to happen when the building sinks into the land?

Jim – that’s precisely the issue – the area has been filled in so much & the land is under so much pressure that it cannot retain the water, so it is flowing across the street

Bob – garrison homes were not allowed in his neighborhood precisely b/c of the high water table

Tom – has everyone seen these drawings before we put them away?

Jim - purpose of townhouses was to hide the size of the main units from the rotary/Franklin St.

JDP – yes much more than the town average (density). Looks like it went from bad to worse

Jim – density is incredible. We have to figure out if they are going to raise the height b/c they cannot go down. It certainly doesn’t address our concerns about density – it’s the same.

Tom - not sure anything has really changed in the big picture

Jim- if Mass Housing was concerned about density, safety, & environment then they should require them to change the plan, but it doesn’t look like they changed it much – this is not “working with the town.”

Item 3 – Tom’s comments from MMA conference

Tom – sat in on a MMA (Mass Municipal Association) conference planning seminar, they gave outlines on what a smart-growth community should be. All the outlines are completely contradictory to what is here – so we should incorporate that in our comments/concerns. Guidelines for housing going forward are to incorporate them in a downtown area reducing car trips, close to transportation & work (downtown re-vitalization). Apartments make sense downtown since there is higher turnover, causing

more foot traffic in shops/restaurants. Spoke to State Rep Lewis about it & he will mention this to the committees he works with. We should mention it to Attorney Witten & he agrees it's something to mention along with our traffic & safety concerns.

JDP - There is no one winning strategy – everything combined is going to help our case. Not going to win on individual issues like traffic, water, 40R – but everything in aggregate.

Bob – Has anyone spoke to the MWRA to see what's the impact on our water/sewer rates?

JDP – Has the EPA been involved? With everything that has gone on with that land over the years it might warrant a review.

Jim – Mr Wantman has talked about studies that he has done about the effects of all the agricultural chemicals used. Heard comments from other residents that the land was so dangerous they wouldn't graze their cows there. There is potential to pursue that.

Tom – We need to be conscious of the pro-forma – if the project is deemed uneconomical they will have to green-light some things – so can't throw the kitchen sink at them.

Jim – Yes, but remediation is remediation – they cannot bypass state & federal laws. It shouldn't cost us anything to get the EPA in here if it is something credible/plausible.

Tom – Witten working on a response to Mass Housing. Rachel Warren from finance/advisory is going to streamline the communication process for the town, since some residents aren't looped in, or if they are, some of the information can be confusing, especially if you are not following the situation from the very beginning. May not hurt to have the community send more letters to Mass Housing about concerns from this new proposal.

JDP – good part of putting the info out there is that we may have people in town that have expertise in certain areas that we are involved in – lawyers, engineers, architects, or another profession that may have input on this. Look what happen with the gas station – before that passed no one knew what was going on. We need to make sure people are tuned in.

Jim – not sure what more you can do after sending 3,000 fliers out & standing at Stop & Shop.

Tom – unfortunately, some just don't pay attention and/or their lives are just too busy. SeeClickFix might be helpful, maybe not for this specific application, but to get information from town hall to the people & vice-versa.

Jim – assuming they get their ticket, it moves to the ZBA. Two things can likely happen: ZBA gives them a green light or they approve it with conditions. If conditions make it unprofitable, they can come back with a totally different plan that is worse for the community. Can the town oppose the development even if the ZBA approves?

Bob – who is really an abutter – just residents 300 feet away? For something this large & serious, it should be a greater distance.

JDP – why would anyone want to build on that land with all the water?

JDP – why can't they treat us like they did in Lynnfield – all with 1 BR, instead he is putting 3 BR.

Tom – Corcoran does care about their reputation, they are from Braintree. They don't want to be known as a contractor that destroys communities. But what they can possibly do is lay all the groundwork & obtain all the permitting & flip it to another company, one possibly out of state, that does not care about their reputation. Then we are worse off.

Angelo – can't we impose a holding period?

Tom – we can't impose much of anything – laws are not in our favor. Corcoran is likely your best partner.

JDP – tough to understand the logic of people wanting to live in this busy corridor of town – wonder if they have really done their homework.

Angelo – there were 2 accidents this week on Franklin St – do we have any details?

Tom – was horrible – one was @ 7:45 another @ 8:15. No details. One concern I have is that if built, I can foresee residents of other, older apartments “trading up” to this newer one. What happens to the older apartment complexes? I don't want to think about it.

JDP - any other ideas/comments that we haven't come up with?

Audience (John Eaton) – does Stoneham have a real-estate housing master plan? Maybe if we had a 5 year affordable housing plan we could use that as an argument.

Tom – no current housing plan, but we are looking to hire an economic developer/town planner that would be responsible for that. We are one of the few towns without one.

Tom – at some point, town needs to decide if we want to negotiate with Corcoran – it's something we have to discuss before it's too late. Negotiations can swing several ways. What we are willing to accept & what are we not?

Jim – town should consider hiring a separate counsel or 40B expert for any negotiation – not sure if this is Witten's area of expertise. This is the time to look into this.

JDP – we should ask Witten for recommendations. This may have come up, but we need to pick experts that don't have a conflict – someone that has our best interests - that's why we are looking out of state.

Tom - Witten has a list of acceptable experts – he'll advise & we'll need to reserve them. Now is the time to think of alternative options & gather feedback.

John Eaton– what if we considered Barry Fogel (Friends of the Fells) for this negotiating role? We should get a dialogue going now for this role. We have been very nice up until now but Corcoran has not

addressed any of our concerns – he is ignoring us, so maybe it's time to not be nice & instead hire a more aggressive lawyer.

Tom/JDP/Bob – Witten is one of the best 40B lawyers out there – very well respected.

Angelo – the only thing we can do right now as a community is to contemplate a plan B. We need a list of options & review the pros & cons.

JDP – need to start with Conservation Committee

John Eaton - are local boards/departments doing research/planning that they need to do? Once the ticket (project eligibility letter) is granted, the ZBA gets their application for a comprehensive permit & the departments have only 7 days to comment on – not a lot of time. So far, 5 out of 7 boards have sent letters (Police, BOH, DPW, Historical & Conservation Commissions): the BOH just mentioned possible rodent issues, but not any other issues some people have brought up (soil erosion, impact of farm chemicals, contamination, etc) ; DPW letter mentioned 9 areas of concern, but couldn't comment on any since they need more info. The historical commission wants to use part of the \$250k allotted for the town's review & defense to be used for architectural enhancements FOR the Corcoran project – this was not the intended use of town meeting funds! FOS wants to send letters to the boards offering suggestions. Is there anything new we need to focus on?

Tom – no, best to narrow the focus on the winnable arguments

John Eaton – any details on their rent schedule for the 66 low-income units? It would be interesting to see how that stacks up to existing housing rental stock.

Tom – I believe fairly high, these are not bargain rental units for anybody. But that isn't the real issue here.

John Eaton – if his rents are extremely high relative to existing supply, than that flies in the face of 40B, in my opinion.

Tom – need for housing isn't necessarily about a growing population – example of a family who gets divorced & the father staying close to the kids. Don't think the rent argument will go far.

John Eaton - who is chairman of Conservation Committee & ZBA? The town website has been getting better.

Tom – currently, Ellen McBride & Rob Saltzman

Bob – so the issue going fwd is BOS is going to look at plan B & get back to us?

JDP – yes, along with talking to Bill Solomon about the options/conditions for getting another lawyer.

Angelo – we need to have Jason Lewis help with the density issue – he should advertise the on the ground-reality to Mass Housing that the only way to build in Stoneham & maintain some quality of life is either to tear down/rebuild existing stock or the state should give us a piece of the Fells & we'll build

40B there. Because of our special circumstances (1/3 of the town being the Fells) we should be partially exempt from 40B.

JDP – the Fells is a sore point – the state gives us so little (\$15k) for that land. I can make a list of everything that's happened to this town & none of it is good (Fells, pilot program, chapter 70) - sick of this treatment by the state.

Tom – we tried moving the Stevens St recycling center to the Fells & the state said no – so to think they'll let you put a 40B there it's not going to happen.

Jim – Melrose practices soccer on a field in Stoneham!

Tom – Amy from Stoneham TV asked if they could televise our meetings going forward – I'm fine w/ it not sure how everyone else feels?

Angelo – Given the current weather I understand that, but my only concern is we need to get people at these meetings & hear their input.

Tom/JDP – better to have transparency. Will be a lot easier when they redo this building!