

Economic Development Committee

Town Hall · 40 Center Street · Fairhaven, MA 02719

FAIRHAVEN ECONOMIC DEVELOPMENT COMMITTEE
MEETING MINUTES JUNE 23, 2022

PLACE OF MEETING: **Town Hall for Members and remotely via Zoom for the Public**

DATE AND TIME: **Thursday, June 23, 2022 at 6:30 PM**

MEETING TYPE: **Economic Development Committee**

Quorum and Attendance:

Present: Kevin McLaughlin (Chair); Travis Rapoza; Bernard Roderick; Cathy Melanson; Eddie Lopez, Leon Correy. Paul Foley, Planning Director, was also present.

Mr. McLaughlin called the meeting to order, reviewed attendance for a quorum, and read the open meeting law for the record.

Review and Approve Minutes of the May 5, 2022 meeting

Mr. McLaughlin forwarded the minutes from the May 5, 2022 meeting.

Ms. Melanson made a motion to approve the minutes and was seconded by Mr. Correy; the vote of the members physically present at the meeting was unanimous (4-0), with Mr. Rapoza, who at the time was remote via Zoom, and Mr. Roderick, who had yet to join the Zoom meeting, effectively abstaining.

Correspondence:

There was no correspondence for this meeting.

EDC Elections:

Mr. McLaughlin then turned the discussion to electing the positions of chair and vice-chair.

Mr. Foley requested motions to nominate a chair. Ms. Melanson nominated herself as the new chair, seconded by Mr. Correy. The motion passed unanimously via roll call vote of the members physically present (4-0), with Mr. Rapoza and Mr. Roderick effectively abstaining once again.

Discussion followed regarding who should be nominated for vice-chair between Ms. Fidalgo or Mr. Rapoza with Mr. Rapoza stating that he would be happy to serve in the position and members agreeing that he would be well suited to the role.

After the discussion of possible candidates for vice-chair, Mr. McLaughlin made the motion to nominate Mr. Rapoza for vice-chair, seconded by Mr. Lopez. The motion passed unanimously via roll call vote (5-0) with one abstention by Mr. Roderick.

EDC Committee Assignments:

Committee assignments for EDC currently include the Lagoa Friendship Pact Committee and the Rogers Re Use Committee, with plans to also have members assigned to the 40R Working Group and the Capital Planning Committee in the future.

The current appointee to the Lagoa Committee, Mr. Lopez, wished to not be assigned again, having felt that he had not significantly contributed to the committee. He additionally requested that the appointment of a member of the EDC be re-evaluated.

Initially, Mr. Correy made a motion to table all discussion of committee assignments until the next meeting, but Mr. Doug Brady of the Rogers Re Use Committee requested that they at least discuss the assignment to the Rogers Committee. Ms. Melanson put forward her case to be assigned to the Rogers Committee on the count of already attending the meetings and having been the host of the Rogers School virtual tour. Mr. Correy then rescinded his motion to table the assignment discussion.

As Mr. McLaughlin was currently assigned appointee, Mr. Rapoza inquired if it was common to reappoint such assignments. It was then explained that the appointments are done on an annual basis and that the Rogers Re Use committee was closing in on a finalized plan for the school, but had not yet disbanded. Mr. McLaughlin also assured that he was no longer interested in the assignment.

Ms. Melanson made a motion to assign herself to the Rogers Committee, seconded by Mr. Correy. Motion passed unanimously (6-0).

The Lagoa Committee assignment was tabled until the next meeting, with Ms. Melanson requesting that Mr. Correy research why a member of the EDC is assigned to that committee.

Local Business Spotlight: Hampton Inn

For this meeting's local business spotlight, Mr. Foley invited Ms. Jaclyn Rowley, director of sales at the Hampton Inn in Fairhaven, to speak to the committee.

Ms. Rowley made a presentation about the hotel, covering the various amenities of the 107-room property such as the full hot breakfast buffet and its new pet-friendly status. The hotel also has two meeting spaces available – the Rogers room which can accommodate 40-50 people depending on seating arrangements, and the Manjiro room which is set up for smaller boardroom-style meetings. Additionally, the hotel has discounted rates for long-term stays available throughout the year. There are also corporate and group discounts available for local businesses to offer for clients, vendors, and trainees. There are both one-bedroom suites and double-bedded rooms on the property alongside a fitness center, business center and a 24-hour coffee station. There is also an outdoor pool at the hotel which is open through Labor Day weekend, weather depending.

At the end of the presentation, she included her email address for further contact - jrowley@claremontcorp.com Ms. Melanson stated that she had previously made use of the meeting rooms and stayed at the Hampton Inn during her home renovations.

Mr. Foley noted some recently approved businesses by the Planning board – a new car wash, new restaurants like Chipotle, and a few that may be coming before the Planning Board soon such as a Crunch Fitness and a new marijuana dispensary – which may be future prospective clients of the hotel.

Business Journal Headlines & Trends:

Below is the list of the articles Mr. Foley summarized for the committee:

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- (BBJ 5/25) Tech job postings are booming in Boston, but some worry a slowdown is coming
- (BBJ 5/27) Declining college enrollment sees even bigger drop in spring
- (BBJ 5/28) As inflation soars, a crisis awaits many small businesses
- (BBJ 5/28) Smith & Wesson shares spike after Texas shooting
- (BBJ 5/31) Report: Fidelity crypto unit plans to hire 200-plus workers this year.
- (BBJ 5/31) The turnover factor many workers don't want to discuss with their boss: Burnout
- (BBJ 6/1) Mass. biotech companies report hiring trouble even amid growth
- (BBJ 6/3) Major Natick retailer lays off over 50 employees, plans to close: Neiman Marcus
- (BBJ 6/6) Mass. announces \$13M in internet access grants
- (BBJ 6/7) Business leaders react to Raytheon's HQ move out of Mass
- (BBJ 6/8) Boston planning chief eyes 2023 for reform rollout
- (BBJ 6/17) \$50M up for grabs for port projects boosting offshore wind in Mass
- \$750 Million Clean Energy Investment Fund

During the discussion, the committee covered the trends in college tuition rates, the Massachusetts internet access grants to both Fairhaven and Acushnet along with the Fairhaven Broadband Study, and how the town could participate in the state's push for clean energy.

RT. 6/240/Opportunity Zone Redevelopment Study Update: Introduction to consultants

After having issues coming to an agreement within the budgetary constraints with SpectorGroup, Mr. Foley reached out to find local consultants to work with. Originally, he reached out to Stephen Kelleher Architects in Fairhaven. Steve said he would do it with Dodson Flinker if they were interested. The Design Standards Panning Consultant will be Mr. Peter Flinker of Dodson Flinker Landscape Architects & Planning. The Legal Consultant will be Mr. Adam Costa of Mead, Talerman & Costa. Both have worked on other 40R projects within Massachusetts and can bring their experience to Fairhaven.

Mr. Flinker was invited to speak first. He outlined how Chapter 40R is a great tool to incentivize the revitalization of older commercial areas in towns across the state. His firm aims to create design standards and guidelines that reflect both an aesthetic and an economic vision for the town's short-term and long-term goals. They would work to transform single-use districts into multi-use areas where you can live, work, and play and create new spaces to take advantage of the changing economy and meet multiple needs. For a town as diverse as Fairhaven, it has a strong base to grow from and the firm wants to create spaces within the town that help meet multiple needs. When prompted for questions, Mr. McLaughlin asked how many 40Rs the firm had worked on and where. Mr. Flinker noted their projects in Danvers, Amesbury, Littleton, and Grafton. Both Littleton and Grafton had train station-centered projects to create walkable mixed-use districts around the stations. All of these projects aimed for a high level of service and design quality.

Mr. Flinker then presented a detailed overview of the 40R project currently underway in Amesbury. Amesbury is a town in Essex country, along the New Hampshire border close to the intersection of I-495 and I-95 with a waterfront on the Merrimack River. The 40R is part of a larger study district and the firm was brought in to help create a plan. They were asked to do studies of the area to identify areas that are likely to have new changes and growth. With this information, they created three scenarios:

- Build-out: What's possible under current zoning?

- Market-Driven: What is in demand right now?
- Mixed-Use: What would enhance future opportunities?

This scenario process allows for a variety of opinions that take into account different needs and concerns from multiple angles and it doesn't lock the town into a single scenario. The firm put a lot of effort into working alongside the town – touring sites, holding design preference surveys, physically modeling on maps, and creating planning sketches – to help create the sense of multiple “villages” with character within the town rather than simply being “Anywhere, USA.” The goal is to use zoning under the 40R process to enhance the DNA of the town. Mr. Correy wished to know how far Amesbury was into the process.

Mr. Flinker explained that the process started roughly a year and a half ago and was initially met with an outcry from residents. The firm has been working with the town directly for the last 5 months to create and define the plan with input from a wide variety of residents. Mr. Correy asked if part of the firm's engagement and public adoption campaign was structured to get the buy-in of the public. Mr. Flinker assured that it was. The firm looks to define who the different interest groups within the town are, what they want, and why. A 40R plan passes more easily when many different stakeholders help to promote the idea and stand up in support of it during Town Meetings. Overall, the planning works out better when it involves even those who are initially skeptical of the process.

Next, Mr. Adam Costa of Mead, Talerman & Costa was invited to speak. The firm is out of Newburyport, though they do have an office in New Bedford. The firm has been working on 40R projects since the program was created and they currently represent 25 towns across Massachusetts as the town counsel. Mr. Costa has also worked as special counsel for many towns and even as a private consultant in a few instances to help develop 40R plans. For this meeting, he presented a slide show covering the basics of Chapter 40R.

Chapter 40R was adopted to meet the demand for affordable housing outside of the 40B developer-driven projects by allowing municipalities the ability to adopt zoning for higher-density residential housing and mixed-use development. A map of approved and eligible districts throughout Massachusetts showed how many municipalities had gone through the process, though Mr. Costa noted that it was a few years old. He then went on to cover the types of eligible locations for 40R projects – Substantial Transit Access Areas, Areas of Concentrated Development, and other highly suitable locations. These districts have services and shops either within walking distance of housing or accessible via mass transit such as subway, bus, or commuter rail.

Within a Smart Growth Overlay District, there are minimum allowable as-of-right development densities, with the density based upon the amount of developable land:

- 8 units per acre for land zoned for single-family residential use
- 12 units per acre for land zoned for two/three-family residential use
- 20 units per acre for land zoned for multi-family residential use (apartment/condominium buildings or townhouses with more than three units.)

A Chapter 40R Zoning Bylaw/Ordinance shall include the following:

- A purpose and definitions section, including a description of the area
- Provisions for the types of uses allowed by right

- Affordability requirements
- Dimensional, density, and parking requirements
- A description of the plan approval process, identifying the plan approval authority
- Design standards/guidelines
- Waiver and plan amendment authority and procedures

Mr. Costa and his firm would be responsible for drafting the zoning bylaws for approval at Town Meeting following these guidelines. They are not too different from other types of existing zoning bylaws and would make sure that any projects would conform to the bylaws and design standards, though a waiver process would be included in case certain exceptions need to be made. There is an example bylaw available online but it is also fairly easy to obtain 40R bylaws from the various municipalities that have approved them.

At least 20% of the housing unit in projects of more than 12 units must be “affordable.” Most municipalities aim for 25% of the units to be affordable in order to meet the Subsidized Housing Inventory requirements to count all housing units within a rental project. For the purposes of these bylaws, “affordable” means affordable to and occupied by households earning less than 80% of area-wide median income (AMI), as per the US Department of Housing and Urban Development. There are charts online to help illustrate the ranges based on household size, but within Massachusetts it often means households earning between \$60,000 - \$80,000 annually.

There are also financial incentives available to municipalities for adopting 40R districts. There are initial payments based upon the number of potential units allowed by the new zoning bylaws.

Incentive Units	Up to 20	21 to 100	101 to 200	201 to 500	501 or more
Payment	\$10,000	\$75,000	\$200,000	\$350,000	\$600,000

There is also a one-time \$3,000 Density Bonus Payments per unit based upon when building permits are issued within the Smart Growth Overlay District, awarded on a quarterly basis. Overall, 40R exists to guide communities towards adopting smart growth and denser, more affordable residential areas by providing both specific guidelines and financial incentives.

The discussion turned towards advertising the process to residents within the town to encourage public input, along with recruiting for the 40R Working Group from members of existing boards and committees and the public and planning several public hearings. The town is more geared towards creating mixed-use housing that would allow for businesses on the ground floors with residential units above. Ideally, they would want to fill in and reduce the wasted space within the various large plazas and encourage redevelopment in those areas.

Mr. McLaughlin asked if Mr. Costa’s firm had ever represented developers in the 40R process. He informed the committee that it is not the normal process as most 40R projects come from the chief executives of the town (the Select Board in Fairhaven’s case), but he has worked with developers in two cases. The more common occurrence is for the firm to be hired by the municipality via a grant or a specific appropriation to re-zone partly developed or underutilized areas. While getting stakeholders and developers invested in an important element, the 40R process is ultimately the responsibility of the town itself.

Mr. Rapoza asked if there was currently an estimate as to how many housing units will be added under the 40R bylaws. Mr. Foley informed him that the scenario planning with Dodson Flinker would help to define those numbers. Presently, the town is at 7% affordable housing and needs 200 additional units to reach the minimum requirement of 10% to avoid unwanted proposals for Chapter 40B projects. The Oxford apartments will add 52 units and the 40R would help to provide for more. The main focus remains on mixed-use to encourage new business, following Complete Streets guidelines to have businesses within reach of the new residents. Mr. Foley noted that this type of setup was something specifically desired by new hires at The Acushnet Company, the parent company of Titleist as well as several other golfing brands, which is headquartered in Fairhaven.

Mr. Lopez wished to know how the town would determine the actual number of proposed housing units and if the state would have any say in the process. Mr. Costa explained that the town would propose the zoning by-law to the state. During the planning step, there would be discussions of where and what types of housing would be allowed under the new bylaws. When the application is submitted, the state will review it to make sure that the bylaw complies with the minimum density guidelines. Development would be as-of-right, but with the municipality creating the conditions and design guidelines to steer developers towards a real main street feel. Mr. Costa assured that many communities who have adopted 40R bylaws had similar questions to the ones posed at the meeting, especially since Massachusetts has some very stringent permitting processes. In contrast to 40B projects, 40R projects have generally been positive experiences for the various municipalities. Having design standards and a planner on board helps to create good conditions on the front end in terms of defining districts and subzones and providing guidelines to developers. While the process takes some time, it is an overall positive one.

When Mr. McLaughlin asked how much time the process would take, Mr. Foley informed the committee that he was working with Mr. Costa and Mr. Flinker to have the 40R bylaws ready by March 2023 to be included on the warrant for the next Annual Town Meeting in May 2023. Mr. Costa did point out that the State will have to play a role because they will be reviewing the full application to determine the financial incentives as well as reviewing the warrant to be presented for Town Meeting. The review process varies from 60 to 120 days, so while it is a reasonable expectation to complete the process ahead of the next Town Meeting, there are points in the process that will be reliant upon how quickly the applications move through the State approval process.

Any other business reasonably anticipated 48 hours prior to the posting of this meeting:

No other business was brought forward at this meeting.

Next Meeting:

The next meeting is tentatively scheduled for July 21, 2022. Before the meeting ended, the committee wished to praise Mr. Rapoza's violin performance at the Town Meeting.

Mr. Rapoza made a motion to adjourn at 8:05 PM and was seconded by Mr. Correy. The motion passed unanimously.

Respectfully submitted,
Stephanie A. Fidalgo
Recording Secretary,
Economic Development Committee