



**Fairhaven Board of Selectmen
Meeting Minutes
March 1, 2021**

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FAIRHAVEN,
MASS.

Present: Chairman Daniel Freitas Vice-Chairman Robert Espindola, Selectman Keith Silvia, Interim Town Administrator Wendy Graves, Rogers Reuse Committee Chair Sue Loo, Rich Relich, Jay Lannagan and Videographer Alyssa Botelho.

Present via Zoom: Administrative Assistant Vicki Oliveira, Production Coordinator Erick Sa.

The meeting was videotaped on Cable Access and Zoom meeting application.

Chairman Freitas opened the meeting at 6:00 pm in the Town Hall Banquet Room and read the following statement:

"This Open Meeting of the Fairhaven Board of Selectmen is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will allow public comment related to the posted agenda items only. For this meeting, Fairhaven Board of Selectmen is convening by telephone conference/video conference via Zoom App as posted on the Town's Website identifying how the public may join.

Arch Communities/Lanagan Co. LLC—preliminary proposal: Rogers School

Mr. Freitas introduced Rich Relich and Jason Lanagan, the potential developers of Rogers School.

Mr. Lanagan told the Board his company submitted designs regarding the Rogers School in response to the Request for Proposal (RFP) that the town issued in December 2020. (Attachment A)

The Board asked for questions from the public before making their comments.

Residents Patricia Estrella, Carolyn Tyler, Doug Brady, Diane Hahn, Sheila Dolan, Lisa Breese, Mark and Theresa Fletcher, David Braga, Stacey Burr, Sue Loo, Andy Marshall, Brain Messier, David Roy, Kathryn Moniz, Carrie Hawthorne, Laura Barillaro, Gary Lavalette, Elizabeth Delano and Karen Vilandry were each given 2 minutes to ask questions to Mr. Relich and Mr. Lanagan. Some concerns by residents were:

- the large design of the proposed addition and the overshadowing to the neighborhood
- if there will be rent restriction to the residents of the units
- the amount of parking spaces that will be provided and if there will be an overflow of vehicles on the side streets and the traffic this may cause
- the playground and basketball courts being affected
- the water and sewer pipes having to be re done because of the overload
- the original building not being torn down or changed
- worried that there will be significant changes done after the proposal is accepted
- worried about the residents of the units smoking outside

Most residents who spoke were not in favor of this project.

Mr. Freitas read a series of questions that were submitted prior to the meeting. (Attachment B & C)

Mr. Silvia said he met with the developers and he is confident that they know what they are doing.

Mr. Espindola feels that if this project is not right for the neighborhood then the Town needs to see how this will fit in the Capital Planning and find an alternative for the building.

Mr. Freitas expressed that he didn't feel the Board needed to make a decision tonight.

Board members discussed the issues further and will reach out the Ms. Graves for more clarification regarding Capital Planning and where the building fits into this. The Board thanked Arch Communities for their time.

At 8:15 pm Mr. Espindola made a motion to adjourn. Mr. Silvia seconded. Vote was unanimous. (3-0)

Respectfully submitted,



Vicki L. Oliveira
Administrative Assistant
(Approved 04/12/2021)

Attachments:

- A. Arch Communities Project proposal
- B. Questions submitted to Arch Communities
- C. Answers by Arch Communities to submitted questions

Rogers School – Relich/Lanagan LLC Revised Proposal January 29, 2021

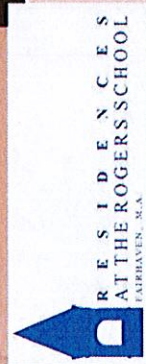
Attachment A



RESIDENCES
AT THE ROGERS SCHOOL
FAIRHAVEN, MA

MVG
MOUNT VERNON GROUP
ARCHITECTS

Rogers School –
Relich/Lanagan LLC Revised Proposal January 29, 2021





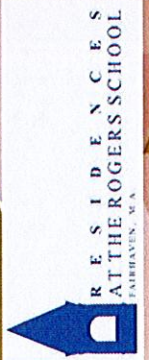
MVG
MOUNT VERNON GROUP
ARCHITECTS

RESIDENCES
AT THE ROGERS SCHOOL
FAIRHAVEN, MA



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MOUNT VERNON GROUP
ARCHITECTS

RESIDENCES
AT THE ROGERS SCHOOL
FAIRHAVEN, MA




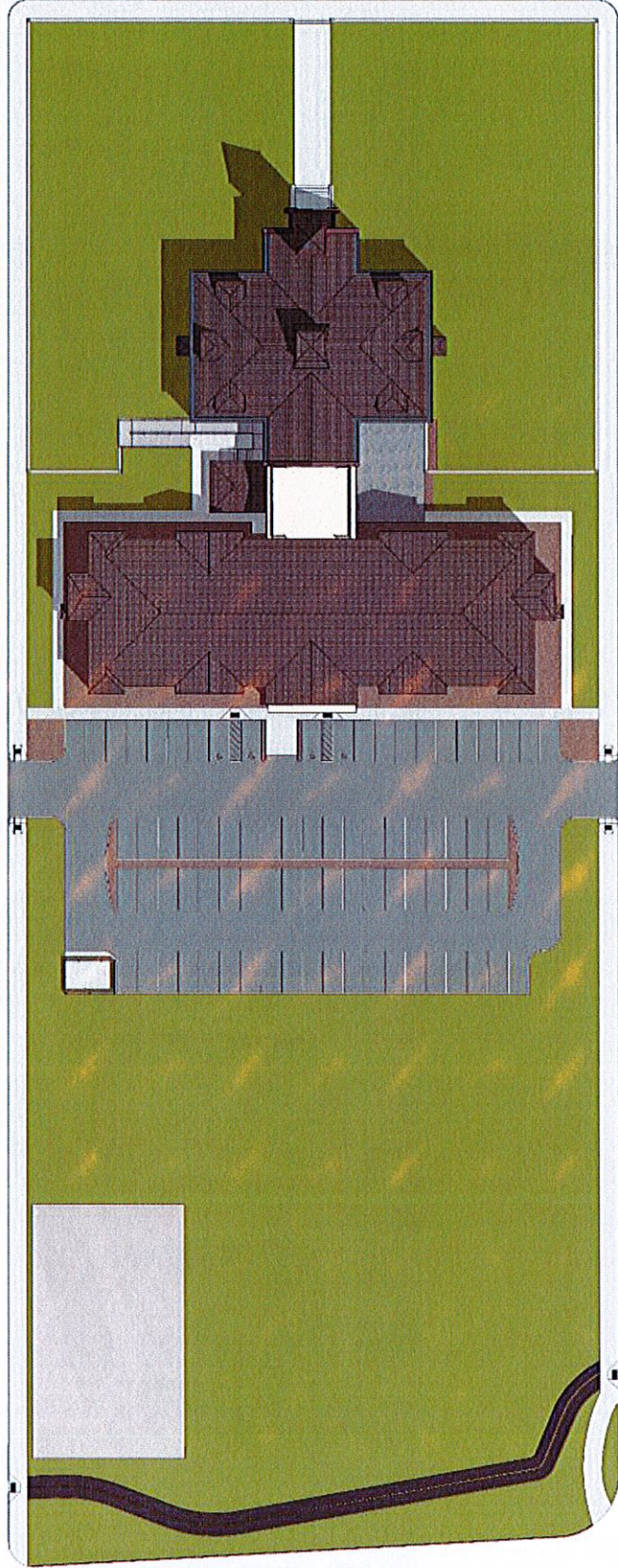


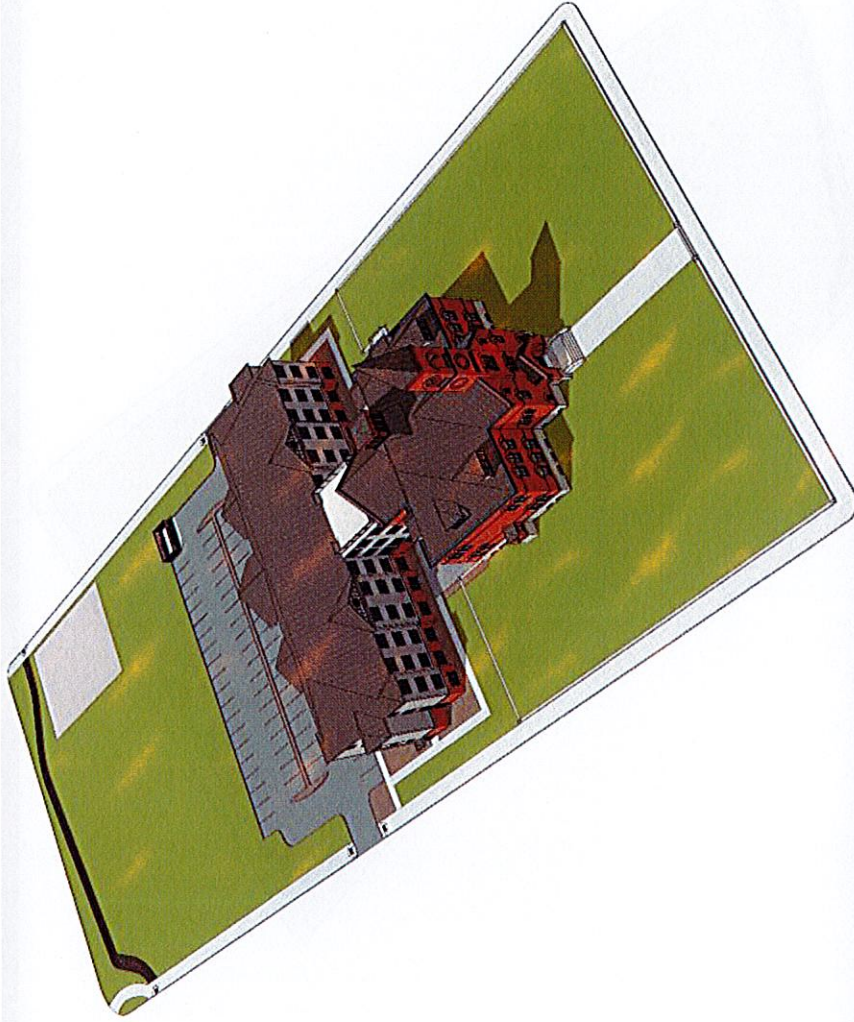
RESIDENCES
AT THE ROGERS SCHOOL
FARMINGTON, MA

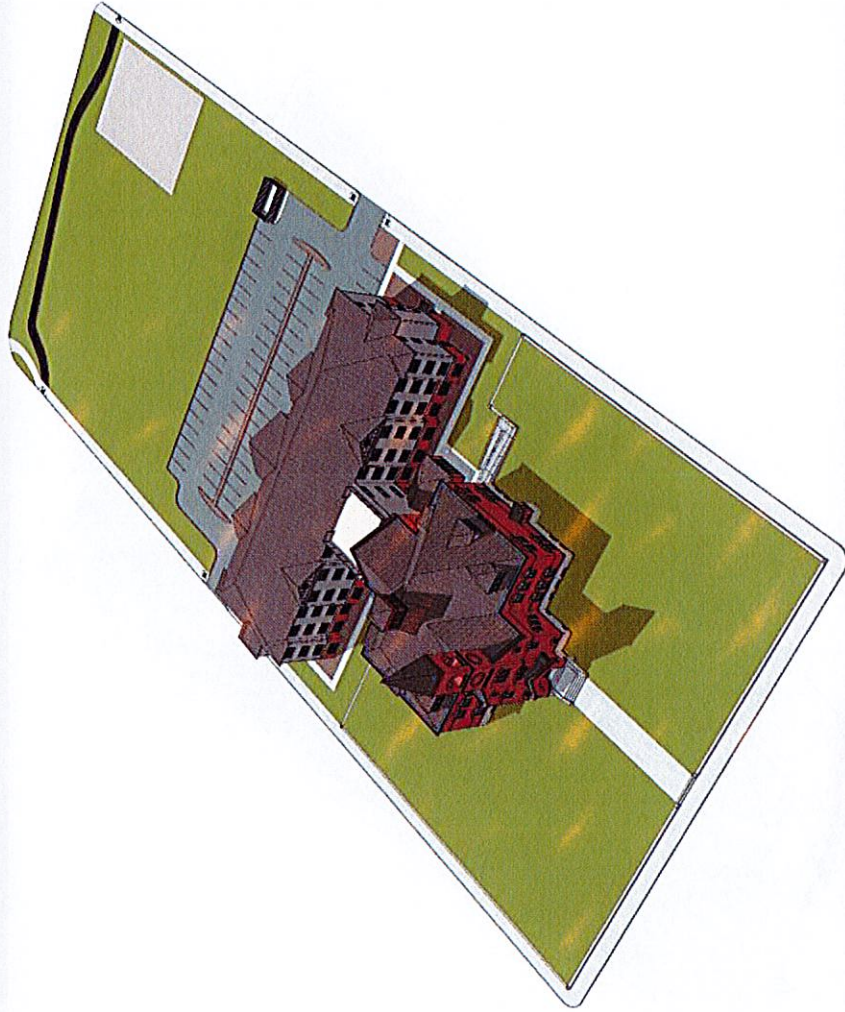


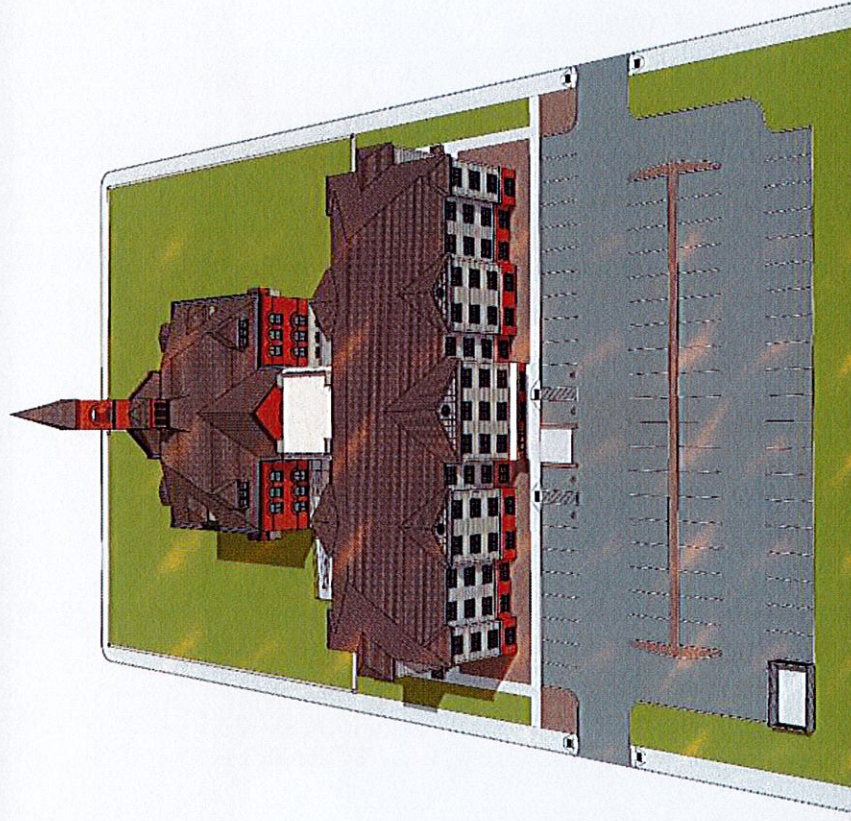
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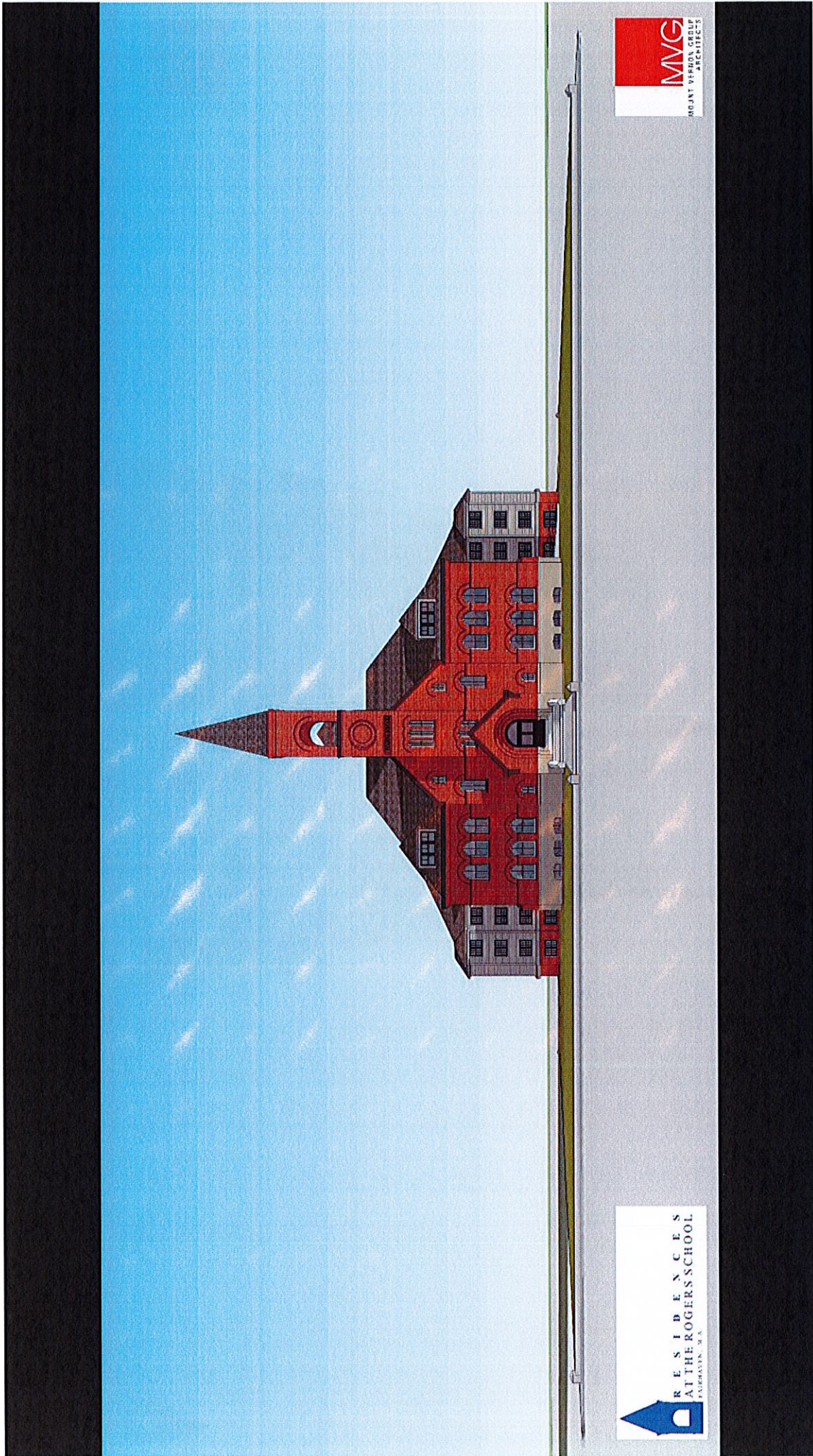

R E S I D E N C E S
AT THE ROGERS SCHOOL
FAIRHAVEN, M.A.





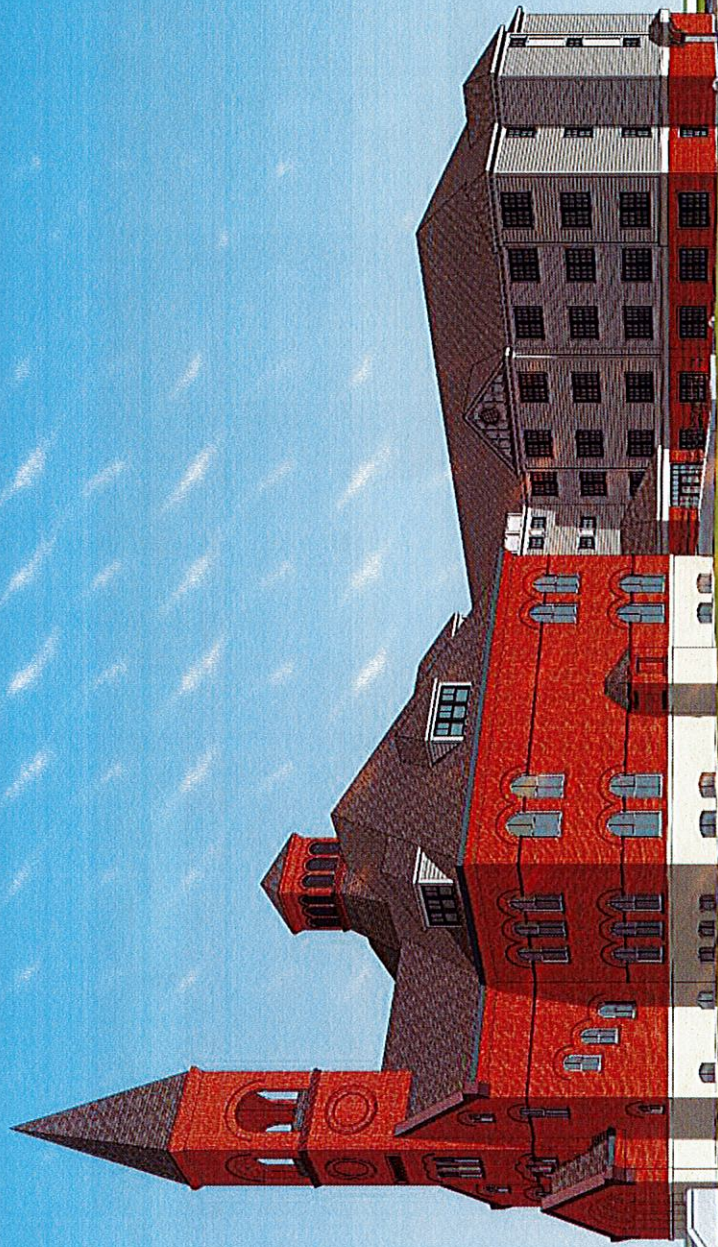






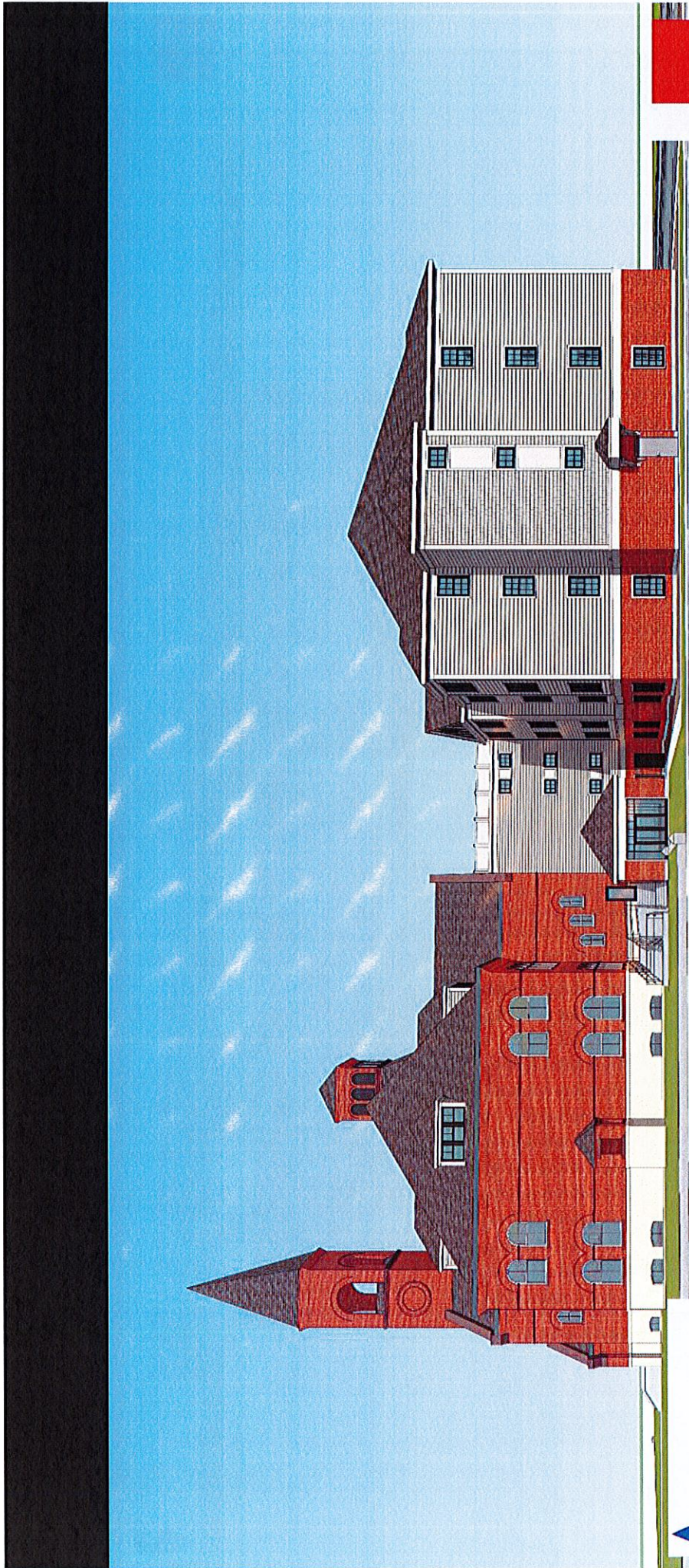
RESIDENCES
AT THE ROGERS SCHOOL
FAIRHAVEN, N.H.

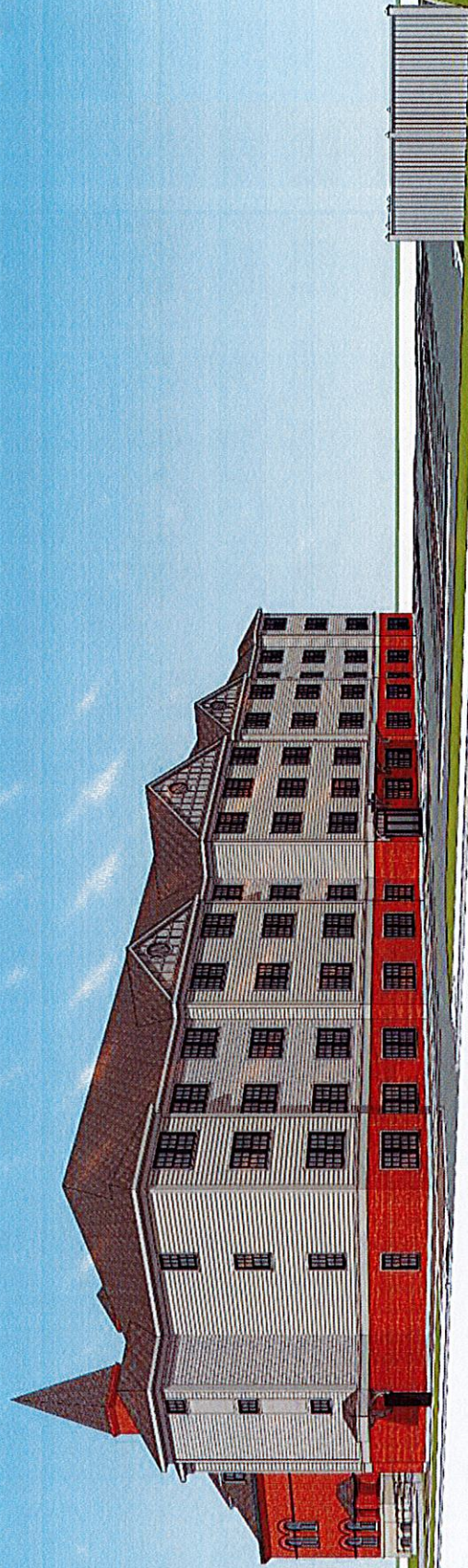
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RESIDENCES
AT THE ROGERS SCHOOL
1000 ROGERS, N.C.

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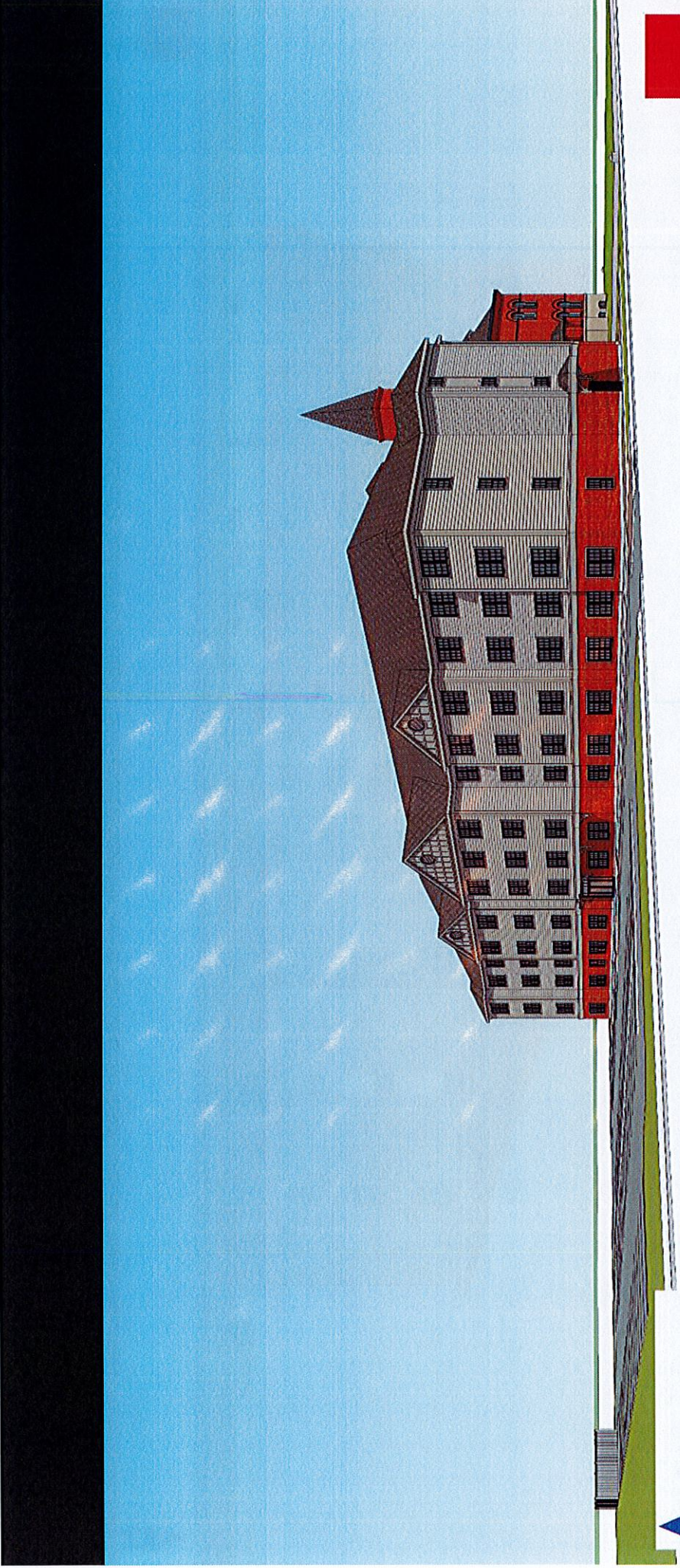






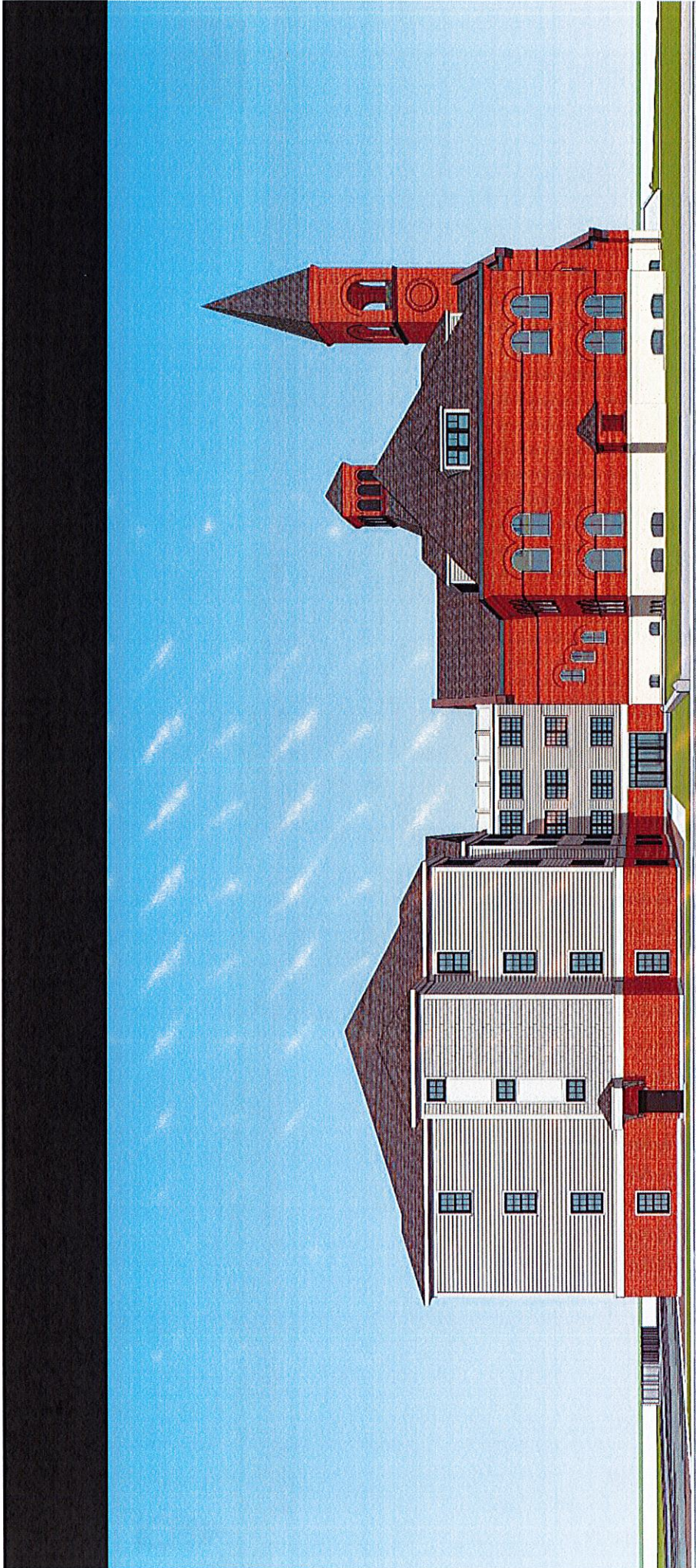
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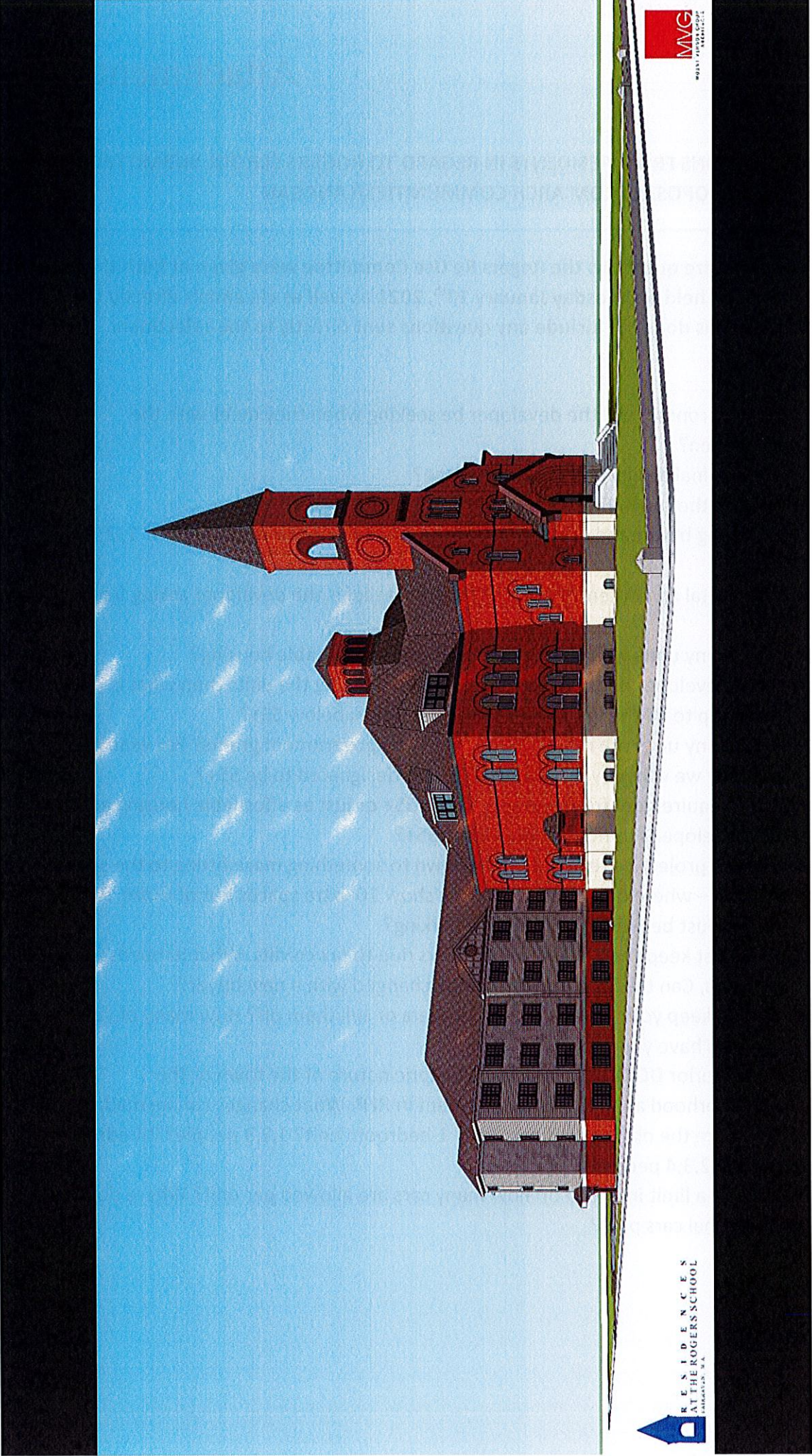
 **RESIDENCES**
AT THE ROGERS SCHOOL
FAIRHAVEN, V.A.



MVG
MOUNT VERNON GROUP
ARCHITECTS

**RESIDENCES
AT THE ROGERS SCHOOL**
FAIRBURY, V.T.





MVG
MAINTENANCE
VOLUME 1

RESIDENCES
AT THE ROGERS SCHOOL
FAIRHAVEN, MA

Attachment B

QUESTIONS FROM RESIDENTS IN REGARD TO ROGERS SCHOOL SUBMITTED PROPOSAL FROM ARCH COMMUNITIES/LANAGAN

The following are questions the Rogers Re Use Committee were given at both the Zoom meeting held on Tuesday January 19th, 2021 as well as via emails directly to committee. This does not include any questions sent directly to the selectmen.

1. Which proposal will the developer be seeking when they meet with the selectmen?
The original design or the modified one?
2. What is the rough time frame to receive all the grants?
3. How long before the developer feels he could begin the construction? 1, 2, 3 years?
4. What total and different areas of financial relief is the developer asking from the town?
5. How many units will **NOT** be designated 55+ affordable housing?
6. If the developer does not have enough 55+ seeking the units then what is the next step to fill the vacant units? Will they seek below 55+?
7. How many units are mandated to be 55+ by government grants? For example, do they say we will provide grants if 50% are designated to be 55+?
8. Is it a requirement for the grants that is 55+ or just as affordable housing and is it the developer's option / choice to do 55+?
9. Can the project be reduced in size down to something more fitting to the space?
10. Parking – where do visitors park? You show 10 extra spaces but of those 10 how many must be public handicapped parking?
11. You must keep the building for 15 years due to tax credits. What happens after 15 years, Can the 55+ requirement be changed with a new buyer?
12. Do you keep your buildings after 15 years or sell them off? How many of your projects have you kept?
13. The exterior **DOES NOT** match the historic nature of the town or the neighborhood as stated as requirement in RFP. What changes can be made?
14. What are the occupancy limits for a 1-bedroom unit? 1,2,3 people? 2-bedroom unit? 1,2,3,4 people?
15. Is there a limit imposed on how many cars are allowed per unit? Where do additional cars park?

15. Is there a limit imposed on how many cars are allowed per unit? Where do additional cars park?
16. Has there been any type of traffic study done to see what the impact would be on the neighborhood?
17. Are there any plans to develop the front grounds for additional parking and could this be done?
18. What is the name of the management company that would be overseeing the residence? What is their history and background in overseeing a residence?
19. Where it would be 55+ affordable housing are all occupants of the unit required to be 55+?
20. Where are the trash and dumpster located?
21. Is the playground (Big Toy area) reduced?
22. Is the baseball field and basketball court eliminated?
23. Who pays heat and electric? Is that part of rent?
24. Who are the other investors in the project?
25. Is the back lawn as well as the front green space public or private space for residence only?
26. Do the windows open or stay closed? The design of the windows has no historic look.
27. What is the turnover of occupants in your other projects?
28. What is the average length of time people stay in your properties?
29. What type of issues have you had with past residences at your other properties?
30. What is the construction method and material for the structure? Interested in the subfloors, wall studs, and attic framing members.
31. What kind of infrastructure updates will need to be made to accommodate the proposed structure and who will bear the cost of those improvements?
32. What kind of tax revenue will be provided to the town on an annual basis from the property owners?
33. Is there any possibility that this structure will get any taller or shorter height wise?
34. Will the look of the main building regarding windows and doors be changed in any way?
35. Are you willing to agree to deed restrictions regarding the main building?
36. How did you arrive at the number of units you plan to build?
37. Would you be willing to put main school building on the Historical Register?
38. What type of material will you be using for the exterior of the addition? Would it be bricked to match the main building? Same as for the roof.

39. How did you arrive at the overall size of the units in the main building compared to the ones in the addition?
40. Can you match the roof on the addition to the main school building?
41. What would construction process be? School and addition at same time?
42. Will priority be given to Fairhaven residents upon rent up?
43. Of the total project of 21 million how much money is coming directly from the company's pockets and how much from free grants and other federal and state assistance?
44. What exterior modifications will you make to the Rogers building and grounds?
45. Is smoking of any type of products be permitted in the proposed project or only outside?
46. The proposed area is zoned residential only. How do you plan to get the location rezoned for housing?
47. Will pets be allowed and if so, how many per unit?
48. What are the amenities for the residents?
49. Does your company have any current or ongoing legal cases currently pending?
50. If the revised or original proposal is not approved by the selectmen, do you have any additional revised or different plans to submit or will you no longer be interested in pursuing the housing at Rogers School?
51. What other current proposals are you currently working on at any stage of the process and where?
52. Have you had any projects there were not able to be completed and you had to walk away?
53. How many and what percentage of your other housing projects are 55+ residents and of those 55+ residences how many are section 8 occupants?
54. With a project this size of units, cars, parking, how do you plan to address the neighborhood concerns and ensure they do not come to fruition?
55. How will you choose who lives in the units?
56. Are there any other land areas in town that you could foresee this project proposal being a better fit?
57. Would you be using the same contractors that you used for your Cottage Street project that had serious workplace safety violations?
58. What type of lighting would be used in the parking areas?
59. Can you develop the building with small addition for owner occupied condo units rather than the monstrosity you are proposing?
60. How are you planning to work around the easement that runs through the property?

RESIDENTS CONCERNS SUBMITTED IN REGARD TO ROGERS SCHOOL PROPOSAL

**(These are the concerns that were submitted in a non-question form by
many residents)**

1. Many residents submitted concerns over the overall size of the addition in the center of town as well as the number of units.
2. Major concerns were for the parking issues. Chestnut Street, when Our Ladies Haven is open for visitors (currently closed to visitors due to Covid -19) is very congested. Along a section of Pleasant St and Chestnut St several homes do not have adequate parking and park on the street. Also, there is a parking snow ban that runs from December to March where parking is only permitted on one side. It would be impossible to park near our homes.
3. Added traffic is a concern with many children in the neighborhood as well as those using the bike path. Added traffic brings more accidents.
4. Residents are concerned how this proposal will affect their future home values.
5. Concerned about digging near Atlas Tack and the PCPs that could have filtered in.
6. In the proposal the basketball court as well as the baseball field is eliminated. The park should not be touched. It is a separate lot and is utilized by so many neighborhood and non-neighborhood children and their families.
7. Folks are concerned about the design of the addition not matching the original building in architecture. One resident responded, "it looks like cookie cutter thrown up tacky tack".
8. Height of the addition is too high for neighborhood.

We heard from three residents that are in favor of the proposal.

A few also are in favor if it is scaled back in the total number of units.

February 02,2021

Good Morning:

Attached please find the response received from Arch Communities / Lanagan & Co. regarding the questions and concerns submitted by the town residents in reference to the Rogers School proposal.

Please feel free to contact the Rogers Committee at any time via email at:

Rogerscommittee@gmail.com

Thank you

Sue Loo

Chair

Rogers Committee



Attachment C

February 1, 2021

To: Susan Loo, Rogers School Reuse Committee

From: Arch Communities/Lanagan & Co.

Re: Residences at Rogers School Proposal

Please see the following additional information submitted to the Rogers School Reuse Committee pursuant to the Committee's request. As previously indicated, we are available to meet to discuss further at your convenience. Additionally, our development team is available and continues to meet and discuss with members of the community to address questions and solicit feedback from residents.

The initial project design that was submitted with the proposal was designed to set back new construction away from both Chestnut and Pleasant Streets and incorporate the utility easement in a way that would provide a covered drop off area for residents. After speaking with nearby residents and feedback from the community in general, the design was modified to remain consistent with the footprint of the existing school addition and not build over the utility easement and instead end the new construction at that point. Those revised plans have been submitted to the Reuse Committee. While the design modification reduced the overall amenity space within the building, the revised plan preserves the historic Rogers School as initially proposed and maximizes green space. As indicated within the proposal, it is our intention to subdivide the parcel with the Town continuing to own the green space including the playground, essentially everything beyond the location of the proposed parking area. The parking area was designed to comply with local zoning requirements, however, discussions regarding the amount of parking are welcome with the Town. We anticipate working with the neighborhood and the Town to enhance the playground area and the green space to provide a more efficient area for the community to enjoy. This design will not impact the mature trees that are located throughout the area and all of the mature trees will remain. Our intention is for this to be a starting point for the continued review and discussion of the playground and green space area that will ultimately provide what the community wants to see.

As detailed within the proposal, the proposed development will consist of 62 apartments for seniors age 55+ with 90% of the property consisting of one-



bedroom apartments. We anticipate that the typical resident will be able to live independently and will live locally, but may not want or be able to reside in housing that no longer meets their needs. The proposed development will offer residents quality, affordable housing with important amenities such as single-level living, elevator access to all areas, efficient and cost effective utilities including central air conditioning, onsite amenity space including a community room with kitchen, fitness room and recreation space and professional property management services in a community setting that will provide much needed socialization for residents. It was our attention to set the age requirement at 55+ to be able to accommodate potential residents within the 55-62 age range who may also need this housing, however, it is possible to increase the age to 62+ if the Town prefers to increase the age requirement. There is no mandate to maintain the 55+ age requirement if the Town feels strongly about increasing the age requirement. To ensure long-term affordability and age restrictions at the property, a deed restriction will be recorded at the Registry of Deeds that preserves both the affordability and age restrictions and no changes to that restriction are allowed. With 90% of the apartments designed as one-bedroom units, we anticipate that a single individual or two individuals will reside in the one-bedroom units pursuant to state and local occupancy regulations. All residents will undergo a thorough screening process that involves credit, criminal, previous landlord and income certification.

In order to complete a quality development that involves the preservation and adaptive reuse of the historic Rogers School as well as the demolition and hazardous material abatement of the school addition that will be removed and the construction of the new housing, our proposal is based upon a total unit count of 62 apartments. As noted within our proposal, the costs to preserve and redevelop the historic school are significant, particularly since the school can only be repurposed with 8 new apartments (4 apartments on each the first and second floor). The school is an architectural gem and a key piece of the Town's history and we agree that it should be retained and preserved. However, the costs to complete the restoration are high and are required to be offset by the new construction. We extensively reviewed both the basement space and the attic levels for potential living space within the historic school, but determined that they are not appropriate and/or feasible for housing. The basement level features smaller windows and the below ground space is not an area that we feel is appropriate for senior housing and the upper level also has challenges with unusually high window heights and horizontal structural supports that significantly impact the ability to provide sufficient unencumbered access to that space. Additionally, the number of units that has been proposed are required to generate sufficient sources to complete a quality redevelopment including necessary construction proceeds as well as providing sufficient operating revenue to support onsite professional property management personnel, long-term



property maintenance and operating costs such as landscaping, utilities, real estate taxes, insurance and financial expenditures. Reducing the size of the property decreases the sources available to complete a quality development and impacts the operating revenue that is required to maintain a professionally managed property.

In terms of specific design questions including those related to the site plan such as the location of trash receptacles, lighting, as well as construction materials, colors, windows, etc., we anticipate engaging in ongoing discussions and incorporating feedback from the community and the Town throughout the process. As previously noted, our approach to the design of the project involves meeting with Town Departments and members of the community to review design plans and incorporating that feedback into the design. As a whole, our design intention is to preserve the historic appearance of the Rogers School and design the new construction to aesthetically coincide with the school and the architectural historic elements displayed throughout the center including the historic color palate, window design configuration and appropriate lighting fixtures.

For the questions relating to both community funding and timeline, both sections of the proposal narrative have been posted below:

Community Revenue and Participation

It is anticipated that the development team and the Town will negotiate a Tax Incremental Financing Agreement (TIF), or similar, that will set the project's real estate tax liability over a ten-year period. The TIF Agreement will also help facilitate other sources of funding with requirements of TIF Agreements. In addition to the TIF Agreement, the project will request from the Town for a contribution of local funds as required by the state funding agency when tax credits and other funding sources are allocated to projects in that community. While there is no set formula or designation for specific funding sources, typically projects receive funding from local CDBG, CPA or HOME programs depending upon availability. We have included \$550,000 from the Town of Fairhaven's CPA program within our development budget as the redevelopment of the Rogers School will qualify as a historic preservation and redevelopment project and will also be creating affordable housing for the Town. Due to the extensive scope of redevelopment of the historic portion of the Rogers School that will yield only 8 apartments, the demolition of the addition and the anticipated hazardous material abatement necessary within the school and the addition, we are also requesting relief from any Town building fees including the Building Permit fee.



Timeline

Following developer designation by the Town, our development team will complete all necessary due diligence documentation needed to submit a funding application to the Massachusetts Department of Housing and Community Development for tax credits and soft funding sources. Required due diligence will include a market study, appraisal, environmental assessment as well as detailed architect and engineer drawings and site plans. During this time, our development team will also be working with the Town of Fairhaven to secure all required local approvals for the development. In addition to site control, local site approval and zoning approval for the project is a requirement for funding.

The following is a list of key items that will need to be completed as part of the funding applications for the project:

- Phase I/21E environmental report and subsequent studies, if needed.
- Geotechnical analysis.
- Appraisal and market study completed by approved entity.
- Site control in form of Land Disposition Agreement/Purchase and Sales Agreement allowing for sufficient timeframes to secure funding and hold until closing.
- Planning and Zoning approvals for the project.
- Architectural plans for interior and exterior, property survey, site plan, stormwater plan.
- Letters of support from Town of Fairhaven personnel and local agencies, State Representative, State Senator, etc.
- Complete financial pro forma including construction and operations.
- Construction and Permanent Lender term sheets and Letters of Interest from equity investors.

Each agency operates separately and independently of each other and has funding rounds scheduled at different times throughout the year. Application rounds for the competitive 9% tax credit allocated by MA DHCD are typically due annually in February of each year with a Pre-Application round due in December. To be eligible for the Pre-Application round, projects are required to have completed the above including having all local approvals secured prior to the application. Due to the high demand for tax credits allocated by the DHCD throughout the state, we anticipate that it will take two rounds to secure the necessary funding to formalize the purchase of the property and begin the construction phase of the project. That



being said, our development team will immediately begin the design and local approval process after developer designation with the plan on receiving site and zoning approval to be eligible for the next Pre-Application round. During that time period, we envision meeting with Town personnel, Fairhaven community groups and the Rogers School neighborhood to complete a design that incorporates community input and feedback. We estimate that the construction phase will be approximately 14 months followed by a 6-month lease-up period. Pursuant to the requirements of the tax credit program, the ownership entity will maintain ownership of the property for a minimum of fifteen years as evidenced by Arch Communities continued ownership all of its tax credit properties developed to date.

