

**WATERTOWN HOUSING PARTNERSHIP
Meeting Minutes**

**Tuesday, June 19, 2012 at 6:00 pm
3rd Floor Conference Room**

Attendees:

David Leon, Member
Paul Menton, Member
Alex Liazos, Member
Fred Reynolds, Member
Anita Shishmanian, Member
Steve Magoon, DCDP

Danielle Evans, DCDP
Jennifer Van Campen, MetroWestCD
Ross, AmeriCorps Intern, MetroWestCD
Ken Leitner, Mt Auburn Village
Brian Badrigian, Mt Auburn Village

I. Approval of Meeting Minutes

Paul Menton made a motion to approve the April and May meeting minutes. David Leon seconded the motion. The motion passed 5-0.

II. Mount Auburn Village (former Baptist Church)

Danielle Evans updated the WHP on where the Mt. Auburn Village project stands in relation to their affordable housing requirements. Danielle stated that in accordance with the memorandum of understanding (of the proposed amendment to the AHA dated April 23, 2002) which required that the second cash payment of \$125,000 be made prior to the 10th CO. In addition, the MOU required that the developer come before the WHP prior to seeking a CO for the 9th unit to discuss and finalize the remaining obligations of the AHA. Eleven certificates of occupancy were issued without them having made the second cash payment and they are in violation of their AHA.

David Leon asked about the date of the sale/CO of the 9th unit— the significance of this date is that this is when the action was to be taken (the developers were to come in to the WHP prior to the CO of the 9th).

Ken Leitner, attorney for Brian Badrigian (developer of Mt. Auburn Village) spoke to the Affordable Housing Agreements for their project, Mt Auburn Village, and for the other church project, Bell Tower Place. He argued that their obligation should be equivalent to Bell Tower Place's obligation. He explained that both projects suffered huge economic losses and that Mr. Badrigian has lost between 2 and 2.5 million dollars on the project. Doesn't deny that they missed their second payment, however asks WHP to accept the \$125,000 payment already made as satisfying their full obligation.

Steve Magoon stated that while there certainly are similarities between the two projects, that they are two separate and distinct projects. It isn't appropriate to consider how one project has been dealt with and approved for as a determinant for another project and this discussion should be put aside. The concern is that they need to come into compliance with their own agreement. They simply ignored their obligation rather than come back to the WHP beforehand to discuss why they would like to adjust their obligation.

Danielle explained the differences between the two projects and why Bell Tower Place has the option to amend their original agreement (which was to provide two off-site units) and to elect to

make a cash –in –lieu payment under the current affordable housing regulations of the zoning ordinance. Because Bell Tower Place is a project with 10 or fewer units they are eligible to elect this option. Since they have 9 units, this option requires a payment equal to 90% of the difference in price between an average market rate unit and an affordable unit. Mt Auburn Village has 14 units and doesn't have that option and should not be trying to compare their project to Bell Tower Place and seeking to obtain the same agreement as them.

Alex Liazos agreed and stated that the 4 additional units are significant.

Ken Leitner again brought up Bell Tower Place and how many units that they sold. Ken Leitner again pointed out the similarities between the two projects and their original affordable housing agreements.

Brian Badrigian explained that he wants both projects to be treated identically. They had assumed that the requirements must have been relaxed if Bell Tower was getting their CO's, so they went on "their merry way".

Fred Reynolds explained that there was a significant difference. Bell Tower Place came in offer off-site units, to discuss their obligations, and to ultimately amend their agreement, while Mt. Auburn Village did not. No one is letting Bell Tower Place "slide". They will be coming in and making their payment.

Steve Magoon reiterated that we are not here to talk about Bell Tower Place and that it needs to be put aside. We're here to talk about Mt Auburn Village's obligation to the Town. Present us with a proposal with calculation that states what a reasonable payment amount is.

Ken Leitner offered up to proposals- #1: That the \$125,000 payment made two years ago is satisfactory. #2: A payment derived from the following calculation: $\$131,995 / .9$ which equals \$146,661 minus \$125,000 for a remaining payment amount of \$21,661.

Alex Liazos asked why they are calculating based on one unit and not two. Ken responded that since their project has 14 units, under the zoning requirements the requirement is one on-site unit.

Danielle referred to 2008 minutes which stated that Brian Badrigian thought a \$200,000 payment would be appropriate. Ken Leitner responded that that was appropriate then, but things have changed.

Brian Badrigian responded that they developed 14 units at the request of former DCDP director, Mark Boyle. Agreed to two off-site units out of generosity. Now chastised for providing 14 units and accused of skirting the affordable housing requirements (15 units would have triggered a second on-site unit).

Steve Magoon asked Ken Leitner to submit their proposal in writing. David Leon asked that they also address the reasons for their noncompliance in the letter. The WHP can then review and consider the proposal and discuss at the next meeting and make a decision whether to amend Mt. Auburn Village's agreement or not.

III. Other

Housing Production Plan- Jennifer updated the WHP on the status of the Housing Production Plan and introduced MWCD's intern, Ross, who will be helping out with the community outreach portion of the Housing Production Plan.

Meeting Schedule- Alex Liazos wants to revisit the meeting schedule. A decision needs to be made whether to continue to alternate day and evenings or to move to all evening or all day meetings.

Membership- Will Brian Costello from the Watertown Housing Authority be joining the Watertown Housing Partnership to replace Tom Wade? Staff would look into this.

IV. Adjourn

Alex Liazos made a motion to adjourn. Paul Menton seconded the motion. The WHP voted 4-0 to adjourn. (David Leon was unable to stay until the end of the meeting)