



TOWN OF MEDFIELD

Office of the

AFFORDABLE HOUSING TRUST

MEETING OF:
June 5, 2025
MINUTES

Members Present: Joseph Hunt, Newton Thompson, Brent Nelson, Kerry McCormack, Eileen Murphy

Members Absent: Eric Lavin, Michael Marcucci

Staff Present: Maria De La Fuente, Director of Land Use

Location: ZOOM

Ms. Murphy opened the Affordable Housing Trust's remote meeting for Thursday, June 5, a little after 7:30 PM, and conducted a roll call:

- ✓ Joe Hunt, Member
- ✓ Newton Thompson, Member
- ✓ Brent Nelson, Member
- ✓ Kerry McCormack
- ✓ Eileen Murphy, Acting Chair

Committee Project Updates

1. Medfield Housing Authority/Rosebay 40B

Ms. Murphy reported that she had spoken earlier in the day with Ms. Kathy McDonald, who stated that the Housing Authority would meet the following Tuesday at approximately 6:30 PM to review its annual plan. Ms. Murphy planned to attend and share the invitation with interested members. She had inquired about the Rosebay project but was told there were no updates, as the Executive Director typically keeps such matters private when not considered the Authority's direct responsibility. She noted that Mr. Nelson might be more familiar with the situation and hoped to gain clarity by attending, as the project had remained unusually quiet.

Ms. De La Fuente reported that Mr. Brian McMillan had contacted her the prior week regarding application requirements. She had requested a preliminary filing to allow time for advertising and legal notices, and Mr. McMillan indicated he hoped to submit the following week. While uncertain whether materials were complete, she believed submission was imminent and expected the filing during the summer. If approved, she said, the project would bring the Town to its 10% affordable housing threshold.

Ms. Murphy expressed concern about the timing of hearings, noting that summer months often saw lower attendance. She hoped the Zoning Board of Appeals (ZBA) would avoid opening the first hearing in mid-August when many residents were away, emphasizing the value of public participation in prior 40B reviews. She said she would contact the ZBA if needed to share this concern.

Ms. De La Fuente explained that under Chapter 40B, the ZBA must open a hearing within 30 days of receiving an application or risk automatic approval and must close the hearing within 180 days unless the applicant grants extensions. Therefore, the Board could not delay without the applicant's consent. She confirmed that if filing occurred in June, the first session would likely be in mid-July or early August.

Ms. Murphy noted that such timing could limit resident input. Ms. De La Fuente replied that while the ZBA typically holds 40B hearings in person, it maintains hybrid access via Zoom and YouTube. She added that the Board could open a hearing and immediately continue it, though the 180-day clock would still apply. Excessive continuances early in the process could prompt the applicant to claim delay and refuse further extensions, forcing an early decision.

Ms. Murphy expressed concern that this could disadvantage the Town and said she might reach out to Mr. McMillan directly. Ms. De La Fuente supported direct discussion and agreed that broad public participation was essential, especially given the number of nearby abutters. She noted that any request to adjust timing should come through the developer, not the ZBA. Ms. Murphy emphasized her intent was transparency, not obstruction, and that the process should not appear rushed. Ms. De La Fuente asked to be informed of any conversation and said she would also raise the issue with Mr. McMillan, suggesting he consider filing later in the summer to allow for stronger attendance and a full board quorum.

Both agreed that limiting public participation could cause frustration, and Ms. De La Fuente added that late arrivals to the hearing process often created challenges. She did not expect the applicant to be uncooperative but emphasized his right to adhere to statutory timelines.

Before closing, Ms. Murphy noted she had sent Ms. De La Fuente a draft of the Housing Authority's 2026 plan and asked her to distribute it for review. Ms. De La Fuente agreed to circulate the document and requested that members email any comments directly to her. She added that if consensus developed on specific feedback, it would need to be discussed in open session.

2. Group Homes Initiative

Ms. Murphy moved to the Group Homes item. Mr. Thompson reported no progress, explaining that their pro bono consultant, Mr. Jeff Kielson of Advocates (which serves individuals with developmental and other disabilities), had become seriously ill and was in treatment. He said that, although a productive discussion occurred about a month earlier, a planned stakeholder meeting to frame a model for the Executive Office of Housing and Livable Communities (HLC) did not take place. Based on HLC's initial legal position—that affordable units cannot be reserved for a specific class of disability—Mr. Thompson concluded there was no viable path to reserving units exclusively for developmentally disabled residents at the State Hospital.

Ms. Murphy expressed disappointment. Mr. Thompson stated he remained open to another approach. Ms. Murphy asked whether consulting Ms. Abby Goldenfarb might be useful. Mr. Thompson responded that the more practical strategy would be to ensure guardians or caregivers are prepared to apply when the affordable units are marketed. He emphasized that there would be no congregate model; the goal would be to secure six to nine dispersed affordable units, with services provided by an agency such as Advocates or Lifeworks. He added that a local preference for Medfield residents would be ideal and should be reflected in the developer's marketing plan.

Drawing on prior experience, Ms. Murphy and Ms. De La Fuente discussed the Enclave at Ice House Road lottery. Ms. De La Fuente recalled that four locally preferred slots were available and that one Medfield applicant secured a unit by residency, while the remaining units were filled by general lottery. Ms. Murphy suggested asking Trinity to include a preference for individuals with disabilities who reside in Medfield in its marketing plan and asked about next steps.

Ms. De La Fuente stated she would raise the question at her next bi-weekly meeting with Trinity. She reported that the Land Disposition Agreement (LDA) remained under State review; after multiple rounds of questions and attorney revisions, approval did not appear close, leaving time to discuss marketing preferences. She cautioned that a general preference for "individuals with disabilities" was likely more workable than one limited to "developmental disabilities," noting that both the Department of Developmental Services (DDS) and HLC had indicated the latter would be discriminatory. She further explained that units certified under a DDS program could not be counted toward the Subsidized Housing Inventory (SHI); because a unit cannot be counted in both DDS and SHI, Trinity would be unwilling to forgo SHI credit. She committed to raise the issue with both the State and Trinity and to report back. Mr. Thompson thanked her.

Ms. Murphy referenced recently signed paperwork and understood the State Hospital completion to be targeted for 2028–2029, allowing time to explore preferences and State participation. Ms. De La Fuente cautioned that State regulations are numerous and at times conflicting across agencies, making a joint discussion difficult. She affirmed shared goals but noted regulatory constraints would limit Trinity's flexibility. She said she would continue pursuing these threads and would email an update when available. Mr. Thompson again expressed appreciation.

3. Habitat for Humanity

Ms. Murphy introduced the Habitat for Humanity item and invited Mr. McCormack to provide an update. Mr. McCormack reported that Habitat's representatives were not in attendance but that he had visited the site earlier in the day. He stated that the survey was complete, wetlands had been flagged, and building corners were staked at his request to indicate the proposed footprints. He noted additional stakes labeled "SS," likely meaning "side setbacks." While on site, he spoke with both abutters, who reiterated flooding concerns and planned to attend the Select Board meeting on the 17th. Despite one of the wettest Mays on record—he referenced Worcester as potentially the雨iest—he observed the site appeared relatively dry, including the proposed building areas. He said the footprints seemed to fall within the 100-foot buffer but outside the 50-foot no-disturb zone and asked whether the project would proceed before the Select Board or the Conservation Commission.

Ms. De La Fuente explained that the plans showed work within both wetland and riparian (riverfront) buffers. She noted that while 40B projects may waive local setbacks, they remain subject to state wetlands and riverfront protection standards. Work in a riverfront area, she said, must satisfy roughly thirteen state criteria addressing groundwater, surface water, and habitat impacts, including temperature change and vegetation loss. These requirements cannot be waived under Chapter 40B and present a significant regulatory hurdle.

Mr. McCormack expressed surprise at the riverfront designation and asked how it was determined. Ms. De La Fuente clarified that a watercourse flowing most of the year qualifies as a river under state law, whereas a seasonal flow is treated as a wetland. She said the Conservation Commission's peer review, not her office, would confirm the delineation, and if verified, the riverfront area would be the project's greatest challenge. She cited a recent High Street case where applicants withdrew after eight months when DEP confirmed the high cost and complexity of compliance studies.

Mr. McCormack observed that the plan referenced FEMA Flood Zone A but did not depict the flood line. Ms. De La Fuente stated that flood insurance would not be required if the structure remained outside the mapped boundary. Mr. McCormack added that any fill within the floodplain would require compensatory storage, which was not shown on the plan. He concluded that the riverfront designation represented the primary obstacle to feasibility.

Ms. De La Fuente reported that she had distributed the plans to approximately sixteen abutters and received several responses, mostly opposing the project. One commenter requested confidentiality, but she explained that all correspondence becomes part of the public record and said she would confer with the Town Administrator on how to proceed. She stated that while abutters' flooding concerns could likely be mitigated, her chief concern was whether the Conservation Commission could meet state riverfront standards if the Select Board elected to advance the project. The Commission, she noted, typically reviews only complete applications rather than preliminary concepts.

Mr. McCormack asked whether Habitat's team had been informed of the riverfront issue. Ms. De La Fuente said the wetlands consultant should have identified it but that she would confirm by email. Ms. Murphy inquired whether existing homes nearby faced similar restrictions or predated the regulations. Ms. De La Fuente replied that some older properties may have predated the Riverfront Protection Act, which originated in the mid-1970s or early 1980s, and explained that only work within existing foundations is typically allowed, with lawn expansion considered new disturbance.

Mr. McCormack noted that the neighboring property at No. 82 appeared to be outside the 200-foot riverfront zone and questioned whether the full boundary was depicted, as only a 100-foot line appeared on the plan. Ms. De La Fuente confirmed that riverfront protection extends 200 feet from the river, with the inner 100 feet being the most sensitive. She said the proposed house appeared to fall within that inner area. She described a prior DEP case where a small home was allowed in riverfront only with strict limitations, such as prohibiting decks or patios, to reduce disturbance. A similar approach might or might not be feasible here. She stated that a formal Notice of Intent would be required for review by both the Conservation Commission and DEP.

Mr. McCormack concluded that Habitat's civil engineer, who also served as the wetlands scientist, should be notified of the riverfront issue, and said he would copy the project team on his correspondence. Ms. De La Fuente thanked him for doing so.

4. Medfield State Hospital/Trinity

Hearing no further questions for Mr. McCormack, Ms. Murphy proceeded to the Medfield State Hospital and Trinity project. She reported that the Select Board had executed a one-year extension of the Land Disposition Agreement (LDA) on Tuesday night, granting Trinity until approximately September 2026 to file all permits. She explained that Trinity planned to begin work in the corner of the property supporting Bellforge and then progress toward the rear of the campus, extending infrastructure in coordination with Bellforge's development. She noted that Trinity had secured funding, with additional state-supported funds expected to flow through the Affordable Housing Trust as required.

Ms. Murphy mentioned she had missed the previous week's Planning Board meeting, where Trinity reviewed property areas following a recent site walk, and asked whether Ms. De La Fuente had attended. Ms. De La Fuente confirmed that Trinity had appeared before the Planning Board for close-out of outstanding Site Plan Approval items from 2023—primarily lighting and landscaping—and for review of the definitive subdivision plan, now under active consideration. She said the project was nearing approval, with the next meeting scheduled for June 23.

Ms. De La Fuente added that the Board of Health would meet the week prior to continue its third stormwater discussion and that Trinity's engineers had submitted responses to the Town's earlier comments. She expressed hope that final approvals would be secured by the end of July.

Mr. Thompson asked whether a declaration of trust had been executed to allow funds to transfer from the Affordable Housing Trust to Trinity. Ms. De La Fuente confirmed that it had been signed several months earlier, likely in December. Ms. Murphy recalled signing at Town Hall and agreed it was complete. Mr. Thompson asked where the document could be found and whether it would be posted on the Trust's website. Ms. De La Fuente stated she had a copy on file, that it would be recorded at the Registry of Deeds to take effect, and that she would send him a copy. Mr. Thompson thanked her.

5. Plain St 40B

Ms. Murphy invited Ms. De La Fuente to provide an update on the 86 Plain Street Chapter 40B hearing before the Zoning Board of Appeals. Ms. De La Fuente reported that the Board had held three sessions—totaling approximately nine hours—focused largely on traffic. She stated that the ZBA was nearing a key determination: whether limited sight distance constituted a public safety issue sufficient for denial, or whether adequate safety criteria had been met to proceed to environmental and engineering topics. She said one final traffic-focused session was scheduled for the end of June and described it as pivotal to the hearing's direction.

Ms. De La Fuente explained that the original design included two driveways forming a "Y" intersection, with limited visibility to the left due to roadway grade and the proximity of Briar Hill Road, which lies closer than subdivision standards would allow—though such standards do not apply to 40B. Early stopping sight distance calculations assumed a 0% grade and a posted 30

mph speed limit; peer review later revised those assumptions to the measured grades of 5.6% and 2% and an operating speed of 35 mph based on the 85th percentile. Under AASHTO guidance, the updated submittal exceeded the minimum stopping sight distance by only about two feet. She noted that intersection sight distance—a higher, advisory benchmark—was not met, but is not legally required.

She stated that the Board's focus remained on the stopping sight distance, given how close the design was to the minimum, and acknowledged discomfort among some members about the narrow margin and reliance on peer review. The most recent session, she said, had been tense, leaving participants somewhat dissatisfied—an outcome not uncommon in complex 40B reviews.

Ms. De La Fuente reported that the applicant was attempting to improve safety by shifting the roadway and committing to vegetation trimming, though the site remained difficult. Abutters continued to express concern, citing safety risks and skepticism that long-term vegetation maintenance could be sustained by a homeowners' association or enforced by the Town. Some had indicated their intent to appeal if the project were approved.

She summarized counsel's guidance: abutter appeals require a \$50,000 bond and proof of unique impact, a high legal threshold. Conversely, if the ZBA denied on safety grounds, the case would likely be appealed to the Housing Appeals Committee (HAC), whose review heavily favors affordable housing production since the Town remains below 10% SHI. It is, she noted, extremely difficult to prove that local safety concerns outweigh regional housing needs in that context. A denial overturned by HAC would result in a short-form decision limiting the ZBA's ability to impose conditions, whereas a conditional approval—if appealed by abutters—would allow most conditions to remain intact, preserving greater Town control.

Ms. De La Fuente concluded that the issue was highly technical and legal, centering on what decisions could withstand appeal. She expressed her view that approval was more likely, since the design met or nearly met AASHTO minimums and there was no clear precedent for deeming such a plan “unsafe.”

6. Public Comment on Habitat Discussion - Thomas Luft of 82 Colonial Rd

Ms. De La Fuente alerted Ms. Murphy that a hand was raised. Ms. Murphy invited public comment and asked that speakers state their names and addresses. Mr. Tom Luft of 82 Colonial Road asked if the discussion concerned the Habitat project, noting he had joined late and heard references to abutter appeals. Ms. De La Fuente clarified that the Trust was discussing the 86 Plain Street 40B project but offered to summarize the earlier Habitat discussion.

She recapped that informational materials had been distributed to abutters and that the Select Board would discuss the Colonial Road Habitat concept on June 17. The project area includes wetland and riverfront resources subject to state regulation, where development within the inner 100 feet of the 200-foot buffer must meet stringent performance standards. She outlined the potential sequence: Select Board review, Town Meeting authorization, land disposition procurement, and subsequent Zoning Board and Conservation filings. The Conservation Agent had walked the site, but no formal review could occur until a Notice of Intent was filed. Ms. De

La Fuente encouraged abutters to participate in the June 17 meeting. Mr. McCormack added that Habitat's consultants should be prepared to address wetland and flooding questions.

Mr. Luft asked whether the Conservation Commission would attend. Ms. De La Fuente replied that its involvement begins only upon application filing and that permitting could take 12–18 months. Ms. Donna Luft joined the discussion, noting prior conversations with Town staff and asking which board was meeting. Ms. De La Fuente explained that this was a meeting of the Affordable Housing Trust, which develops and recommends housing concepts but does not approve projects. Ms. Murphy added that the Trust meets monthly, directed the public to the Town website for meeting schedules, and noted that the session was recorded; she would share the viewing link. She also explained Open Meeting Law restrictions, under which members may not deliberate outside posted meetings.

Ms. Donna Luft thanked the Trust and said she would submit written comments. She noted that neighbors were not opposed to Habitat's mission but were concerned about flooding and tree removal impacts on Colonial Road, Blacksmith Drive, and Surrey Run, as well as potential risks for a future Habitat family. She asked who owned trees along the property edge. Ms. Murphy suggested consulting the Tree Warden. Ms. De La Fuente responded that while the Tree Warden could advise, jurisdiction over State-owned land rests with the State, and a survey would be required to confirm ownership. She said she had forwarded Ms. Luft's inquiry to the relevant State agency but had not received a reply.

Ms. Luft expressed concern that removing interconnected trees could destabilize remaining ones. She asked when abutters should consider hiring experts. Ms. De La Fuente said abutters may retain consultants at any time but recommended waiting for a formal filing, after which boards would engage peer reviewers funded by the applicant. Mr. McCormack added that survey staking, wetland flagging, and a preliminary plan were completed to allow informed discussion; he noted that several mature pines near the proposed footprint would likely require removal.

Ms. De La Fuente stated that any tree removal would require stormwater calculations proving no increase in runoff. Mr. McCormack said the concept includes a subsurface infiltration system approximately 8'×8'×24' to capture roof runoff. Ms. Luft asked for help interpreting technical plans; Mr. McCormack confirmed that staff would assist.

Ms. De La Fuente reviewed notification requirements—100 feet for Conservation and 300 feet for ZBA—and emphasized that all filings undergo peer and public review. She reassured residents that no decisions had been made and that state standards could not be waived.

Mr. Luft said rumors suggested the project was already approved. Ms. De La Fuente clarified that no approvals existed and that any advancement would require extensive expert documentation. She referenced the multi-year Trinity review as an example of process length and said she maintains an abutter email list for updates. She encouraged residents to send written comments before the June 17 meeting so the Select Board could review them in advance.

Mr. Luft said he had not received prior emails. Ms. De La Fuente replied that she had used an abutter-supplied distribution list and would resend materials, ensuring both Mr. and Ms. Luft

were included. She encouraged recipients to forward the information to neighbors. Mr. Luft confirmed his address and offered to help circulate the notice.

He asked whether residents should email their comments to the Select Board. Ms. De La Fuente said they could send comments either to her for forwarding or directly to the Board. Ms. Murphy explained that there is no single Select Board email address; messages must be sent individually to each member with copies to staff to ensure receipt. Mr. Luft agreed and said he would encourage neighbors to do the same.

Ms. De La Fuente reiterated that the project was still conceptual and would involve many review stages. Mr. Thompson asked what to expect from the upcoming Select Board meeting. Ms. De La Fuente said it would be the first opportunity for the Board to consider the concept and public input. Depending on the discussion, the Board could request further development or conclude the idea was unsuitable. Any decision to advance would eventually require placement on the May 2026 Town Meeting warrant.

Mr. Thompson observed that the Select Board is therefore the gatekeeper for the project's next steps. Ms. De La Fuente confirmed this, noting the timeline could vary depending on deliberation. He then asked if the Affordable Housing Trust would present. Ms. Murphy replied that Mr. McCormack would provide introductory remarks and context on the Trust's evaluation of Town-owned parcels. She explained that the Trust operates under the Select Board's jurisdiction and cannot act independently.

Ms. Murphy emphasized that the Habitat concept has been under discussion for several years and that while its viability is uncertain, the process allows community input. Mr. Luft asked whether the Trust was endorsing the project. Mr. Thompson said the effort aligns with the Town's Housing Production Plan goals but that the Trust's support is conceptual pending further facts. He noted that small homeownership projects, such as Habitat's, group homes, and the Trinity development, all contribute to the Town's SHI.

Mr. Luft expressed appreciation but voiced concern about placing a family on a site with persistent flooding, saying he would raise that at the Select Board meeting. Ms. De La Fuente encouraged him to do so, emphasizing that early feedback would inform the Board's decision. She said Habitat's engineers would attend to respond to questions.

Mr. and Ms. Luft thanked the Trust for its openness. Ms. Murphy welcomed continued public participation. Ms. De La Fuente thanked them and invited them to remain for the rest of the meeting.

7. Continuation of 86 Plain St Discussion

Ms. Murphy noted that Ms. De La Fuente had been mid-update on 86 Plain Street. Ms. De La Fuente confirmed and reported that the Zoning Board of Appeals would continue the hearing on June 30 at 6:00 PM to determine whether the sight distance limitations constitute a safety hazard. If not, the Board would proceed to wetlands and environmental review. She anticipated a lengthy process but said she would keep the Trust informed. She added that with the six-unit proposal at 86 Plain Street and the potential return of the Rosebay project, Medfield was nearing the 10% Subsidized Housing Inventory (SHI) threshold for the first time.

Mr. Thompson observed that each SHI unit contributes toward safe harbor and that projects advance at different paces, making it essential for the Town to pursue multiple avenues simultaneously. Ms. De La Fuente agreed, noting that units can fall off the SHI when affordability restrictions expire. She emphasized maintaining a diverse and proactive housing pipeline through tools such as 40B development, inclusionary zoning, and partnerships like Habitat for Humanity. Mr. Thompson added that the Trust's initiatives also aim to serve varied populations, including seniors, persons with disabilities, and others in need of affordable housing.

Meeting Minute Approval

Ms. Murphy confirmed there were no minutes to approve and said she hoped to have a backlog ready after the summer break, as she and Ms. De La Fuente had been focused on Planning Board and Zoning Board documentation. She suggested taking a break until September, and Ms. De La Fuente agreed, proposing to post a tentative meeting for August 28 to accommodate everyone's schedules. Members agreed to that date.

8. 441 Main St Update

Ms. Murphy then asked Mr. Hunt for an update on 441 Main Street. Mr. Hunt said he had not seen any progress for over a year, though he believed one unit might be vacant for interior updates. Ms. Murphy said she had wondered the same while driving by. Mr. McCormack observed that delays are common when projects involve occupied units and lease transitions. Ms. De La Fuente said she would check whether building permits had been pulled; if not, the four approved units might risk expiring from the SHI after a year or eighteen months without construction. She made a note to confirm that with the State.

Mr. Thompson asked about the time for the upcoming Select Board meeting, and Ms. Murphy confirmed that their meetings now start at 6 PM, with the Habitat item likely later on the agenda.

Adjournment

Motion: Mr. Thompson made a motion to adjourn the meeting.

Second: Ms. Murphy and Mr. Hunt seconded.

- ✓ Roll Call: Mr. Thompson- aye, Mr. Hunt- aye, Mr. Nelson- aye, Mr. McCormack – aye, Ms. Murphy- aye (5-0)

Ms. Murphy declared the meeting adjourned and thanked all participants.

Respectfully submitted,
Maria De La Fuente, Director of Land Use