

**Affordable Housing Trust Fund Board Meeting  
Meeting Minutes  
December 15, 2021**

A meeting of the Salem Affordable Housing Trust Fund Board was held on Wednesday, December 15, 2021, at a Remote Zoom meeting at 6:00 p.m.

**Members present:** Mayor Kim Driscoll, Mickey Northcutt, Filipe Zamborlini, Councilor Patricia Morsillo, Councilor Ty Hapworth, Lynda Fairbanks Atkins, James Willis, Chris Malstrom.

**Members joining late:** Councilor Madore at 6:10 pm, Rebecca Curran at 6:13 pm, and Caroline Watson-Felt at 6:15 pm.

**Members absent:** John Boris

Staff present: Senior Planner Cassie Moskos and DPCD Deputy Director Amanda Chiancola

Chair Mayor Kim Driscoll called the meeting to order with a roll call at 6:05 p.m.

**UNFINISHED BUSINESS**

**A. Update on the Salem Housing Road Map: A Housing Plan for All**

Ms. Moskos gave an overview of the project. That it is a plan to help the City identify its housing needs, where these units can be built, and strategies to achieve these goals. She then went on to give a status update on the project. Informing the Board that the first community forum was held on November 30<sup>th</sup> and that about 30 members of the public attended where the consultant gave an overview of their initial data analysis. There was great feedback and participation from the attendees, but the consultants are still gathering data. There is a housing survey available in three languages for members of the public to take; the survey will close on January 7<sup>th</sup>. Another form of participation that is ongoing is Meeting in a Box; they can be done in small group setting, virtually or in-person. They can also be done by anyone, members of the public, staff, the Trust Fund Board, etc. She stated that next forum will be specifically on the topic of senior housing and what we, as a community, want senior housing to look like. This forum will be on January 25<sup>th</sup>. Staff is asking the Board to complete 3 Meeting in a Box sessions.

The Mayor stated that one of the goals is to gather as much feedback as possible, but to also do education around the topic. The Mayor gave the feedback that the consultant did a great job of providing opportunities for members to participate, give feedback, and provide challenges to the data.

Mr. Northcutt stated that the NSCDC was planning to do a meeting in box with several team members in early January. The NSCDC is looking to update their strategies and goals in 2022 and work off of the final plan from the Housing Roadmap.

Councillor Madore felt the meeting went very well, and was surprised on the fluency of attendees on affordable housing. Mr. Zamborlini stated that he has done some lit drops in the Point neighborhood focusing on non-NSCDC properties.

Mayor Driscoll invited to members to join her in doing a meeting in box at local pubs and restaurants as less formal way to hear from younger adults. Ms. Moskos stated that she had gone door to door in businesses downtown to try to reach service, retail, and small business owners to participate.

Councillor Morsillo indicated she had been talking with Lori Stewart at Salem Heights to coordinate a meeting and get survey results. She asked if all materials were available in translated documents. Ms. Moskos indicated that they were.

Councillor Madore was curious to know if a separate meeting could be accommodated all in Spanish, not just translated. Mr. Northcutt is proposing to do a staff meeting in a box, but then those staff members could facilitate meetings in English and Spanish. He was curious if that would satisfy Councillor Madore's concerns. She thinks a meeting led in Spanish instead of translated might help Spanish speakers that are turned off by public meetings, that then a smaller meeting might be beneficial. Mr. Northcutt responded that he would ask his community engagement team. He felt participation might be low if it's advertised as a large public meeting, but that if individuals are tapped to participate in a small group there might be better participation.

#### **B. Update on the Condo Conversion**

Ms. Chiancola stated that the Staff had received high level legal comments from the legal team. Staff will need to review some additional state acts. In the meantime, Staff has posted the City's presentation along with additional information regarding the ordinance to the Imagine Salem website and has begun outreach efforts. Some feedback received so far has been:

- Concerns about the additional notification requirements for protected classes, that an unintended consequence may be that landlords may not rent to them initially to circumvent the requirements of this ordinance should they want to convert in the future.
- The City should implement the State's ordinance and then scale it from there.

Due to new members of the Board being present, Mayor Driscoll gave an overview of the Condo Conversion Ordinance. She encouraged members to share the ordinance with their networks, when hosting Meeting in a Box. She also stated that she felt the extra protections are worth the risk for the protected groups of people since they are so vulnerable.

Ms. Watson-Felt stated that we need a large public awareness campaign to ensure tenants are aware of their rights.

Councillor Hapworth stated he had his first constituent reach out to him because they heard that condo conversions were going to be prohibited. He had a question about the purpose and functionality of the tenant right of refusal. Councillor Madore answered that the terms of the tenant offer should be at or below market value. Ms. Watson-Felt clarified the number has to be relative to the market value; the landlord cannot provide the tenants a P&S with a very high number in order to get them to say no, and then list it publicly for a lower number. Councillor Hapworth questioned who enforces this, Ms. Chiancola answers that the tenant could go to the board this ordinance would create to file a complaint.

Mr. Zamborlini states that this is a good reason to have the City as second right of refusal. This provides a second record of the initial offer price. He is unsure if Staff will have the administrative capacity to follow this potential procedure.

Councillor Madore states that fair market value is publicly available information from the assessor's office, and that perhaps instead of making staff chase real estate listings, the information gets included in the permit process. There can be a conditional permit and final permit, so prior to final permit being issued the applicant would have to provide the proof they met the notification requirements of the ordinance, including the offers made to tenants. The Condo Conversion Board can determine if the offer made to the tenants vs the public listing are comparable.

Mr. James Willis is concerned about introducing any subjectivity, and other cities should be looked at to see how they address this area.

Ms. Watson-Felt that the board and associated staff should be a resource, not necessarily a heavy enforcement body.

Mayor Driscoll stated there are concerns about rentals being taken off the tax rolls but clarified that is not all negative. Her biggest concern is regarding tenant stabilization.

Mr. Zamborlini added that the pre-ambule of the adopting ordinance clarifies the reason for adopting the ordinance.

Mayor Driscoll indicated a desire for the Trust to help distribute the ordinance to the public in order to better understand any conflict points that may exist. Councillor Hapworth responded that he is curious to hear from people regarding the protected classes provisions and that at this time he is hesitant to remove additional protections provided by the draft ordinance.

Councillor Madore clarified that the state ordinance is already in effect, but the City's version strengthens it.

**C. Review and discuss draft disposition ordinance amendment**

Ms. Chiancola gave an update on the project, stating that when the City plans to get rid of land we must follow the 30B requirements of the state, however, this ordinance adds affordable housing as a priority. She informed those in attendance that the draft ordinance could be found in the [SharePoint](#) for the Affordable Housing Trust Fund. Ms. Chiancola while giving an overview of the ordinance, let the Board know that the majority of the changes to the ordinance were in the RFP process. The next steps were to schedule a meeting with the purchasing/procurement department. Staff was in the process of scheduling that meeting. The Board had not additional comments on the topic.

**NEW BUSINESS**

**A. Meeting Format**

The City is beginning to allow hybrid meetings starting in January, with a scheduled return to in person meetings in April, in line with the expiration of the state allowance of virtual meetings. The Board began to discuss how they would like to meet starting in January. The Board expressed

a strong desire to remain virtual citing concerns for unvaccinated family members, feelings that virtual helps more people participate, and ease of obtaining quorums. It was determined that the Affordable Housing Trust Fund Board would remain virtual at this time.

**B. Funding of the Trust**

Mr. Zamborlini raised a question on the funding of the AHTF. Ms. Chiancola stated that City prefers units to actually be built vs accepting money. Fractional units were part of the inclusionary zoning ordinance, however that ordinance did not pass. The City policy rounds up or down at 0.5. This is a big difference between Salem and other communities; this policy is why Salem has so many local action units.

**MINUTES**

Councillor Hapworth made a motion to approve the minutes from September 7, 2021, October 5, 2021, and November 15, 2021 meetings via an omnibus motion, seconded by Rebecca Curan-passes unanimously 9-0 by a roll call vote.

**PUBLIC COMMENT**

Councillor Madore stated that the draft MBTA multifamily zoning requirement guidelines were issued that day. These guidelines are part of the state housing choice bill which is part of the economic development bond bill. Part of this allowed for a lowering of the voting threshold for zoning ordinances. Part of the changes were that all MBTA communities must have a zoning district that allows multi-family by right. This is an opportunity to add affordable components. Guidelines gave very specific numbers of the number of units these districts must have a capacity for multi-family to be built depending on the level of service of transit. She stated she believed Salem's required capacity for units that need to be within a half mile of transit was around 4040 multi-family units as of right. The City may already have met our requirement, or Salem may need to just meet the delta. She encouraged all to look at the draft language. She further clarified that there is currently no affordability requirements, and that they are accepting comments until March. The City can use this as an opportunity to add affordability requirements either as an overlay or as a new district. If the City does not comply, the City will be ineligible for some large pots of money for infrastructure. The City Council will have to have a public hearing by May. Councillor Morsillo asked if the City would be required to have just one area, or one per station. Councillor Madore stated that there is a size requirement, and that there must be at least 5 contiguous parcels, spot zoning is not permitted. Mr. Zamborlini stated that he would need to recuse himself from this conversation because of his work with the Department of Housing and Community Development.

Councillor Hapworth recognized Councillor Madore's work in the last 4+ years on the Board.

**ADJOURNMENT**

*Motion to adjourn by Vice Chair Northcutt, seconded by Councillor Hapworth—passes unanimously 9-0 by a roll call vote.*

Meeting adjourned at 7:07 p.m.

Approved by the Affordable Housing Trust Fund Board on 01/26/2022.

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Respectively submitted,  
Cassie Moskos, AICP  
Senior Planner