



IN CITY COUNCIL

JOINT PUBLIC HEARING OF SEPTEMBER 17, 2018

Joint Public Hearing of the City Council and Planning Board held in the City Council Chamber, Room 219, City Hall on Monday evening, September 17, 2018.

CALL TO ORDER

Council President Scott Joseph Graves called the Public Hearing to order at 6:30 o'clock p.m.

CALL OF THE ROLL

City Clerk Alan Agnelli called the Roll of City Councillors. Ten (10) Councillors were present including President Scott Joseph Graves and Councillors James Boone, Nathan Boudreau, Ronald Cormier, Edward Gravel, Karen Hardern, and Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh. Councillor Craig Cormier was absent.

The City Clerk called the Roll of Planning Board Members. Four (4) members were present including Robert Bettez, Sr., Laura Casker, Mark Schafron, and Robert Swartz. Chairman Allen Gross was absent.

President Graves read aloud the Public Hearing Notice, as follows:

CITY OF GARDNER
NOTICE OF JOINT PUBLIC HEARING
LIABILITIES TO ASSETS PROJECT

Pursuant to M.G.L. c.121A §6B, notice is hereby given that the Gardner City Council and Planning Board will hold a joint public hearing on September 17, 2018 at 6:30 P.M in the City Council Chamber, City Hall 2nd Floor, 95 Pleasant Street, Gardner, MA 01440, to review the M.G.L. c.121A application submitted by NewVue Liabilities to Assets (NVLTA) located at 470 Main Street, Fitchburg MA.

NVLTA is a Chapter 180 nonprofit corporation formed to facilitate the redevelopment of primarily one and two family properties in five participating communities, including Gardner, that have been vacant for a minimum of 3 years, are deteriorated or contribute to blight conditions, and have a negative impact on their surrounding neighborhoods. Ninety-one properties have been identified in the five participating communities. The following Gardner properties have been included in the NVLTA application and may be redeveloped as part of this project: 58 Osgood St, 69 Oak St, 142 Pleasant St, 60 Walnut St, 261 Main St, 56 Baker St, 165 Baker St, 27 Rich St, 27 Green St, 4 Wright St, 41 Greenwood Pl, 127 West St, & 12 Water Street.

Interested persons may attend the hearing and give oral comments, or they may submit written comments until 4:30 P.M. on Friday September 14, 2018, by mailing or e-mailing to: Trevor Beauregard, 115 Pleasant Street, Room 201, Gardner, MA 01440, tbeauregard@gardner-ma.gov.



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As per M.G.L. c.121A, §6C, any person aggrieved by the approval or disapproval of this project has 60 days within which to seek judicial review.

A copy of the submitted application is available for public review at the City Clerk's Office, Room 121 or the Department of Community Development and Planning, Room 201 during the hours of 8:00 A.M. and 4:30 P.M. Monday through Thursday, and 8:00 A.M. and 1:00 P.M. on Fridays, or electronically at: www.gardner-ma.gov.

President Graves asked if any person in attendance wished to testify.

Trevor Beauregard, Community Development and Planning Director, stated that the City has been working with the State for over one year in order to participate in this Pilot Program for communities with high property foreclosure rates and with many abandoned properties. He said that the City has compiled a list of depressed properties and those that have been vacant for 3 or more years. The Health Director, Building Commissioner, and the Community Development Director participated in compiling an inventory, evaluating conditions and eligibility under the program. The List was submitted to DHCD along with those of four other communities – Athol, Clinton, Fitchburg, and Leominster.

Mark Dohan, Executive Director, NewVue Communities, explained that his organization's housing stock is more affordable; that it possesses many abandoned properties; and, that participation in the program is voluntary. He said that participants are first-time homebuyers; must be within 110% of area median income; and, are required to live in the houses for 7 years. The organization renovates only those properties that the City proposes and that the program helps to revitalize neighborhoods and blight. He said that the organization has eminent domain powers which can be used to acquire properties.

Brian Andrews, 28 Ash Street – The house at 127 West Street abuts his house and a tree abuts his property. He asked if the property will be surveyed to determine the property's boundaries and to also determine tree ownership.

Mr. Dohan advised that NewVue will perform due diligence on any property that it acquires.

Allen Goguen, 21 Green Street – The house at 27 Green Street abuts his property and that there is a shared driveway. He questioned whether the house would remain as a single family home or become two-family, since the house has 14 rooms.

Mr. Dohan stated that there are no promises; however, the goal is primarily about owner-occupancy. The intent [of the program] is for single family property rehabilitation.



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President Graves noted that the project will have to comply with Zoning requirements.

Councillor Boone questioned whether a property would be removed from the list if it cannot be redeveloped.

Mr. Dohan said that the City would decide whether a property will be rehabbed.

Mr. Beauregard said that there are 13 properties on the list and that the City would be lucky to be able to rehabilitate 2 to 3 per year. The City has to prioritize the properties, he added.

Mr. Dohan stated that the properties have deed restrictions – must be owner-occupied for at least seven years.

Councillor Walsh questioned whether NewVue could decline to rehab a property if the City proposes it.

Mr. Dohan said that NewVue could decline to rehab a property if it is too expensive.

Laura Casker questioned the number of City-owned and privately-owned properties on the list.

Mr. Beauregard stated that City-owned properties are ineligible under the Program.

Councillor Walsh asked Mr. Beauregard to outline the process.

Mr. Beauregard stated that the Planning Board will issue its report and findings to the City Council within 45 days from the hearing. The Council then reviews the Planning Board's findings report and issues its acceptance of the Planning Board report and approval or disapproval and then makes a recommendation to the Mayor within 45 days of receipt of the Planning Board's Report. The Mayor will then review the City Council's and Planning Board's recommendation and issue a Certificate of approval to DHCD.

Councillor Gravel questioned whether the City Council would receive progress reports. Mr. Beauregard responded, "Yes."

Amanda Collins, 262 Chestnut Street, questioned what would happen if a new owner is harmed if the property assessment increases and thus affects the owner's ability to pay.



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Mr. Beauregard responded, saying that the City cannot control the [real estate] market or personal financial situations.

Mr. Dohan stated that the house prices have to be set so that they are affordable and that some may be priced “below market.” He added that homes will be marketed through realtors and MLS.

Councillor James Boone questioned the negotiating process if a property is bank-owned.

Mr. Beauregard responded, saying that the City negotiates the purchase price.

Mr. Dohan added that the rehabilitation projects are small jobs, so local contractors are hired and that use of them “is more cost-efficient.”

Ms. Casker questioned whether “home businesses” would be restricted [under the Program].

Mr. Beauregard responded, saying that if the [home] business is allowed under zoning laws, then it would probably be allowed at the [rehabilitated] home.

There being no further requests to testify, President Graves closed the hearing at 7:08 p.m.

Accepted by the City Council: *October 1, 2018*