Call to Order:
The meeting was called to order at 6:13 p.m. in the Memorial Hall of Memorial Hall Library by Board of Selectmen Chairman Laura Gregory, Historic Mill District Task Force Chair Charlie Kendrick and Planning Board Chair Zach Bergeron. Present for the Board of Selectmen were Chairman Laura Gregory and members Annie Gilbert, Chris Huntress (arrived at 6:25 p.m.), Dan Koh (via telephone, arrived at 6:55 p.m.) and Alex Vispoli. Present for the Planning Board were Chairman Zach Bergeron and members Ann Knowles and Neil Magenheim. Present for the Historic Mill District Task Force were Chairman Charlie Kendrick and members Robert Daidone, Ann Knowles, Suzanne Korschun, Ellen Townson, and Karen Van Weldon-Herman. Also present were Andrew Flanagan, Town Manager, Michael Lindstrom, Deputy Town Manager and Paul Materazzo, Director of Planning & Economic Development and Austin Simko, Chief Strategy Officer.

Andrew Flanagan, Town Manager stated that over the last two years the Town has held over 30 meetings to engage with the public on different elements of the Historic Mill District, including traffic impacts and transportation, placemaking, environmental conditions, and infrastructure such as water and sewer capacity. The Town also conducted a public process to develop Design Guidelines which were a requirement of the zoning bylaw. These Design Guidelines were approved by the Planning Board in 2018. The next step is drafting a Request for Proposals (RFP) to the development community to solicit interest in the disposition of the 11 Lewis Street parcel. The final RFP will be a product of the public input gathered. A Special Town Meeting will be held on November 13th to seek permission of the voters to allow the Selectmen to dispose of the 11 Lewis Street parcel through the RFP process. This TriBoard meeting tonight was to gain feedback on the draft RFP. Mr. Flanagan thanked the public for their participation and noted that the public participation through every step of the process has been overwhelming.

Austin Simko, Chief Strategy Officer and Paul Materazzo, Director of Planning & Economic Development gave a presentation on the process so far. Mr. Simko reviewed the location of the 100 acres that comprise the Historic Mill District (HMD). He noted that the HMD of the past was a vibrant community that contained employment, recreation, retail, churches and access to the river. Since the approval of the zoning overlay, the desire has been to revitalize the HMD for the 21st century to reintegrate into the Town a work-life community situated near transit.

Paul Materazzo reviewed the milestones and the public engagement process to date including the approval of the zoning and Design Guidelines and the studies and public forums that have taken place. He noted that in addition to the traditional public meetings and forums, the Town has also launched a public opinion survey and held coffee hours and site walks to keep the public informed and engaged. There is a plan to hold more events through the fall to continue to engage the public in different venues at different times.

Mr. Simko reviewed the RFP discussion topics; the planning objectives, selling versus leasing the land to a developer and the MBTA component. Mr. Simko reviewed the eight community objectives that have been drawn out of the public process. He noted that it is expected that no single development proposal will satisfy all eight of the objectives. The RFP selection
TriBoard Meeting cont’d:
committee will be tasked with finding the right mix of attributes and characteristics from qualifying proposals.

Zach Bergeron of the Planning Board asked if any thought had been put into the weighting of the planning objectives. Mr. Simko stated that once it is confirmed that the Town has the right mix of planning objectives, an exercise can take place regarding the weighting. Mr. Bergeron questioned if the weighting should take place before the RFP is issued or once the responses are received. Mr. Simko stated that the weighting will happen before the RFP is issued to convey to developers what they should be putting their resources into. Mr. Materazzo added that the community survey that is currently underway will also help to determine the weighting.

Candy Dann of 4 Rock O’Dundee Road requested that the RFP specify that open space is green space because she is concerned that parking lots would count as open space otherwise. Mr. Materazzo stated that the RFP can be changed to reflect that parking lots are not open space.

Becky Backman of 19 Pomeroy Road questioned what the “ask” is that the Town is giving the MBTA since this development is meant to be transit-oriented. She asked if the Town would delay the issuance of the RFP if the MBTA does not provide more information to the Town in a timely fashion, or if the Town will move forward with their timeline no matter what. Mr. Materazzo stated that he had upcoming meetings with the MBTA and couldn’t make an assessment before those meetings are held.

Harry Voorhees of 51 Maple Avenue stated that the Town needs to think strategically about which priorities they want included in the Town Yard site because it can act as a catalyst for the rest of the Mill District’s development. His vision for the Town Yard site is a mixed-use neighborhood in the downtown that is a model for net-zero sustainable development in the Commonwealth. He asked if the RFP could give preference to a developer who came forward with such a proposal. He noted that it would be an ambitious goal but it is feasible.

Candy Dann of 4 Rock O’Dundee Road noted that a certain draw of this zoning has always been the connection to the Shawsheen River and she hoped to see as part of the planning objectives linkages to recreational opportunities with the river. Mr. Materazzo stated that the RFP discusses enhancing the connections to the river. He noted that the Town Yard parcel does not have any river frontage but is can be developed in a way to make the walk towards the river more enjoyable. He added that the HMD zoning language requires any development with frontage on the river to have public access to the river.

Anil Navkal of 14 Rock O’Dundee Road stated that he would also be in favor of a carbon neutral development. He stated that the Andover Green Advisory Board has given twenty one recommendations for the parcel, including creating a micro grid that becomes a self-sustaining effort increasing resiliency in the downtown. He would also like to see electric vehicle charging stations and for the Town to think radically about parking spaces. He recommended that the language in the RFP be defined precisely so that not everything submitted will pass the muster.
TriBoard Meeting cont’d:
Steve Fink of 26 Bateson Drive stated that there is money available for pilot projects for sustainable development.

Annie Gilbert of the Board of Selectmen asked if there is a tipping point where the Town has packed too many planning objectives into the RFP. She wants the Town to have a plethora of responses to choose from and is worried that the Town may get painted into a corner with too many concrete specifications. Alexandra Phillips, of Stantec, Inc., the Town’s consultant, stated that it is good to have lots of objectives, but the Town needs to prioritize the objectives in the RFP so that developers will know how to prioritize their proposals. Mr. Materazzo stated that the objective for tonight is to confirm the themes. Once the themes are confirmed, the HMD Task Force will then weigh the criteria using the community survey input to guide the conversation. Mr. Simko added that the survey asks for input that coincides with the planning objectives and the results will be correlative with the weighting.

Steve Cotton of 14 Pomeroy Road stated that he was concerned that with prioritizing or weighting, some objectives will get defeated. He felt that all of the identified objectives should be able to be realized to some degree on the site.

Zach Bergeron of the Planning Board questioned if the weighting was appropriate noting that it may cause the responders to focus solely on objectives with higher weights. Mr. Simko stated that weighting can be employed in different ways as an evaluative tool. Weighting can be used as a points system or it can be used to telegraph to the developers on the front end what the Town prioritizes, while leaving discretion and flexibility to the selection committee on creative responses. Ms. Phillips of Stantec pointed out that the weighting is not a points system or an all or nothing, it is simply showing the priorities of the Town. She added that if everything is equally important, than the weights may be irrelevant.

The Boards reviewed the ground lease versus sale options with Ms. Phillips reviewing the pros and cons. She stated the level of control that the Town has is equal in both a lease and a sale in that it would require a Town Meeting vote and a plan approval process with the Planning Board. A pro of a lease is that at the end of the lease the Town could choose to re-use, re-lease or to sell the property. A con of a lease is that it is rare for a lease to make it to the end of its term. Lessees are unlikely to reinvest in the property towards the end of a lease. The payments on a lease could be as much as 30% lower than on a sale, and it is likely that the Town will get fewer proposals for a lease. Ms. Phillips noted that the minimum amount of time for a lease is generally 60 years and the maximum amount of time is 99 years. A lease of the land would make it difficult to build condominiums. With a sale, the Town will most likely get more proposals and higher value of payments. The con is that the Town would not have control over the land unless they repurchased it.

Ann Knowles of the Planning Board and HMD Task Force stated that she liked the idea of higher payments, but she also like the idea of maintaining control that comes with a lease. She questioned if there was a way to maintain control with a sale. Mr. Simko stated that only a lease option allows the Town to historically maintain control.
TriBoard Meeting cont’d:
Charlie Kendrick, Chairman of the Historic Mill District Task Force stated that he was interested in seeing what the development community proposes with both a lease or a sale being options in the RFP. Mr. Phillips recommended that the Town make a decision of lease versus sale before the RFP is issued. She added that in negotiating the final agreement, the Town can include language regarding the Town receiving certain benefits from a successful development.

Laura Gregory, Chair of the Board of Selectmen, asked about the lease process, and what the impact a lease would have on the ability to get proposals as well as the impact on the timeline. Andrew Flanagan, Town Manager, explained that the Town would have to get approval from Town Meeting to submit a Home Rule Petition to the Legislature. The Home Rule Petition would have to pass the House and the Senate to be signed into law by the Governor to enable the Board of Selectmen to enter into a lease that extends any term beyond 25 years. Ms. Gregory asked Ms. Phillips what her opinion was on the impact of this process on the development community to enter into a lease. Ms. Phillips stated that developers like to have as much control and as few variables possible. In her opinion the Town would get fewer proposals with a ground lease versus a sale.

Candy Dann of 4 Rock O’Dundee Road asked what a lease option would mean for condominium development, and if there are alternatives that the Town could place into a sale agreement so that the development is not turned into something the Town doesn’t want. Ms. Phillips stated that it is difficult for developers to finance and sell condominiums with a ground lease because condominiums imply ownership, and buyers would be wary that they will not be able to see the appreciation value of their purchase. She noted that other terms can be written into the land disposition document or ground lease, but that may not be necessary as zoning laws and Planning Board review are already in place.

Steve Cotton of 14 Pomeroy Road stated that he was intrigued by a ground lease because the Town Yard parcel is so central to the Town. The Town has continuous control in a lease. He felt the Town should be exploring this possibility. He noted that MassPort has a lot of experience with ground leases, and the Town should reach out to them.

Ann Knowles of the Planning Board and HMD Task Force asked how open space can be protected for the public use within the confines of a sale. Ms. Phillips of Stantec stated that the public access will be written into the agreement.

Mr. Materazzo gave an update on the MBTA. He stated that the Town is working to relocate the MBTA platform to the east side (development side) with a new fully accessible platform running along the frontage of the rail line closer to Pearson Street to expand the public realm. The Town is also working with the MBTA to relocate the 150 commuter parking spaces on Railroad Street in order for the MBTA to move forward with a development on that parking lot parcel. Susan Stott of 30 Pasho Street asked if any headway has been made with the MBTA to date. Mr. Materazzo stated that meetings are scheduled shortly with the MBTA and the Town should be able to better gage their level of commitment after those meetings.
TriBoard Meeting cont’d:
Mr. Simko reviewed the upcoming public engagement.

Jane Gifun of 9 Castle Heights Road asked if the lease or sale option would be pre-determined before Town Meeting. Mr. Simko explained that the Town Meeting vote will be to authorize the Select Board to dispose of the land and the RFP at that point will be finalized so the community will know what guidance the Select Board will use in disposing the land. Mr. Flanagan clarified that before Town Meeting, the Select Board will be deciding if the RFP will be for a sale, lease, or sale/lease. The Town Meeting article will authorize the Select Board to dispose of the land as it is spelled out in the RFP.

Susan Stott of 30 Pasho Street stated that she was leaning towards an either/or in the lease versus sale option. She asked why Stantec feels that a decision should be made. Ms. Phillips of Stantec, Inc. stated that if the Town doesn’t make the decision before the RFP is sent out, it will be one more added layer to the process. She added that in her opinion, if the Town puts the RFP out with either/or, the responses will only be for sale of the land, so if the Town prefers a ground lease, it needs to be explicit.

Adjournment: The meeting was adjourned at 7:12 P.M.