

Manufactured Homes Commission
Minutes of Meeting Held On
February 21, 2023 at 10:30 am¹

CALL TO ORDER: 10:33 am

In Attendance: Sandra Overlock, Tracy Sharkey, Kathy Zorotheos, Jeffrey Hallahan, Ethan Mascoop, Assistant Attorney General Dan Less from the Attorney General's Office, and Tyler Newhall from Department of Housing and Community Development.

It was generally agreed there was a quorum.

APPROVAL OF MINUTES

Ms. Sharkey made a motion to approve minutes from October 2022.

Mr. Hallahan seconded.

Discussion: Ms. Overlock requested that minutes be amended so that old business is put before new business, as has been standard practice for other minutes. Mr. Less stated he would make that change and circulate the new minutes.

Mr. Mascoop abstained because he was not present at the last meeting. All other members assented to the minutes with Ms. Overlock's amendment.

CORRESPONDENCE/COMMUNICATION

None to discuss.

OLD BUSINESS

Manufactured Housing Community ("MHC") List

Mr. Mascoop was working on a list, had not pursued this project much further, but hoped to have more data by the next meeting.

Mr. Less reported that Nora Gosselin from the Community Development Institute ("CDI") has a fairly comprehensive up-to-date list of MHCs and had sent him a copy. He suggested the Commission post this list on the Commission's Website in place of the current (and outdated) one.

¹ The meeting was held remotely pursuant to An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency (<https://www.mass.gov/service-details/updated-guidance-on-holding-meetings-pursuant-to-the-act-extending-certain-covid-19-measures>). The public could participate remotely through video or telephone.

MH Commission Meeting Minutes

February 21, 2023

Page 2

Other members asked Mr. Less to send a copy of this list, but he was not sure if it was a public record. Mr. Less suggested that commission members ask CDI for a copy of the list.

NEW BUSINESS

1) **Discontinuance of Lee's Trailer Park/ Parkway located in Revere ("Lee's").**

This issue was discussed as part of two presentations: one regarding Transit Oriented Development ("TOD") and the other on the specific status of the Lee's discontinuance itself.

a. Transit Oriented Development ("TOD") and Its Potential Impact on Manufactured Housing.

Two graduate students of Mr. Mascoop's, Erika Teetsel and Naomi Gross at the Boston University School of Public Health, gave a presentation on TODs and the possible impact they may have had on Lee's discontinuance. The presentation is attached to these minutes. One possible reason the Lee's owner discontinued the community was because it was in a TOD area. The goal of TODs is to promote mixed-use development that creates economic and pedestrian activity around places of transit. While a noble goal, there is concern that MHCs that are in TOD areas could be targeted for discontinuance in favor of these new developments. Nationally, MHCs are already at risk for redevelopment resulting in high levels of resident displacement. Application of TOD opportunities could cause more discontinuances and disruptions for MHCs.

Mr. Less asked whether there is an approval process a developer must go through to get a parcel designated as a TOD. Mr. Mascoop responded that the TOD law relaxes zoning restrictions to move the process along more quickly. A developer does need to go to the local zoning board for approval, but once the parcel is re-zoned, the process is simplified. He also explained that zoning is "as of right" in § 3A of the TOD law. This means a developer does not need a variance.

Ms. Sharkey clarified that the TOD law was passed in the fall of 2022, and its likely municipalities have not adopted it yet.

Given the possibility that MHCs in TOD areas could be discontinued in favor of developers pursuing TOD opportunities, the students want to research 31 MHCs that are in TOD areas. The students have the names of MHCs most at risk and would send it to the Commission. Given the national trend of increased displacement of vulnerable residents from MHCs generally, the students noted that TOD opportunities could provide additional motivation for developers to purchase MHCs and discontinue them in favor of more lucrative TODs.

Mr. Mascoop stated he believed the Lee's owner is a developer targeting TODs and that's why they bought and discontinued Lee's.

Ms. Sharkey stated that TODs are more of a macro issue, have broader implications beyond MHCs, and impact affordable housing more generally. She suggested the Commission pause on further TOD assessment.

MH Commission Meeting Minutes

February 21, 2023

Page 3

Mr. Mascoop stated there are protections in the TOD law that require affordable housing be included in a TOD. Nonetheless, Mr. Mascoop was concerned the protections were inadequate regarding MHCs.

Mr. Less stated that to the extent the Commission is hearing of MHCs being discontinued, there was a possibility the TOD law could play some role that maybe in conflict with the MHC discontinuance statute. Nonetheless, Mr. Less suggested the Commission did not need to discuss TODs at every meeting, given the broader implications TODs could have on all affordable housing and not just MHCs.

Mr. Mascoop disagreed explaining that TODs fell within the Commission's statutory authority of identifying issues relating to MHCs and developing recommendations for ways of dealing with the issues. Mr. Less observed that TODs were the latest example of ad hoc complex issues the Commission discusses at meetings that are not only time consuming but presented little likelihood the Commission had the means to address.

Ms. Overlock stated that the Commission needs to address TODs, because they are the type of issue the Commission is here for.

Mr. Mascoop stated that there will be more information on the TOD research next meeting.

Ms. Sharkey noted that the Commission needs to figure out how to address the issues that are presented to it rather than continuing to rehash them at each meeting. Ms. Overlock responded that each year a bill is introduced to give the Commission authority to adjudicate disputes between MHC residents and owners, but the legislature never votes on it. If the Commission could not only hear resident complaints but could render a decision on them, that would help resolve many problems impacting MHCs.

b. The Discontinuance of Lee's MHC.

Mr. Mascoop showed a presentation on Lee's which included photographs of his several visits to the community since November 2022. A copy of the presentation is attached to these minutes.

Mr. Mascoop noted his concerns with asbestos and lead and wetlands protection – the creek alongside the MHC was impacted with oil slicks and construction/demolition debris. Mr. Mascoop contacted DEP and referred it to their environmental enforcement division. There are some residents still living in boarded up houses. Residents were offered \$5,000 - \$30,000 to move out, the majority of residents closer to the \$5,000 range.

One of the current Lee's residents spoke. They stated that living conditions have been deplorable for a long time. The resident was concerned that the owner had put a dumpster next to their home and that the dumpster had asbestos in it. The resident stated that management crushed residents' homes without these residents knowing their units had been destroyed. The resident was afraid if

MH Commission Meeting Minutes

February 21, 2023

Page 4

they left their house, the owner would crush it. They also noted that they knew of former residents living in their cars in the Lee's parking lot until they were required to leave.

This resident also stated they were harassed on a monthly basis to accept a settlement and move out of the MHC. They explained that many people who lived in the MHC were on fixed incomes, disabled, and/or could not afford to hire an attorney.

Mr. Mascoop stated he did not know of any resident that went through a formal eviction process. The owner offered and encouraged settlements so residents would leave the MHC. Mr. Mascoop stated that the owner's settlement documents were only in English and were never translated into Spanish which many residents spoke. One resident is represented by legal counsel, but most residents did not have representation.

Mr. Mascoop was also concerned about the City of Revere's lack of response to the discontinuance. Similarly, he was troubled over the city's lack of transparency in disclosing minutes of its boards that might have had information about the discontinuance. In particular, he was troubled that the city refused to provide his students with the meeting minutes of any city board, commission, etc. unless the students submitted a public records request for the minutes. Mr. Less explained that it was not improper for a municipality to require a public records request before releasing any public record including minutes. A municipality can, if it wants to, provide them without a public records request. There is, however, no legal requirement that they do so.

Mr. Mascoop also provided some information he obtained about Lee's owner and asked if the Commission had the power to subpoena the owner to appear before the Commission. Mr. Less responded that the Commission did not have that authority.

Ms. Overlock and Mr. Mascoop asked about G.L. c. 140, § 32L(8)'s use of the terms "governmental board, commission or body" and whether the AGO could provide an interpretation or opinion on what the terms mean. In particular, Mr. Mascoop referenced another MHC in Peabody named Mac's that the owner was trying to discontinue. It was Mr. Mascoop's understanding that that the Peabody zoning board determined that Mac's could not discontinue its operation as an MHC.

As a result, Mr. Mascoop made the following motion:

Does Chapter 140, Section 32L(8) apply to local municipal and/or regional boards or bodies including, but not limited to, Zoning Boards, Rent Control Boards, Planning Boards, City Councils and Selectboards when considering a change of use and/or discontinuance of a manufactured housing community as described in the statute?

Ms. Sharkey seconded the motion.

Discussion: Mr. Mascoop explained that the inquiry would be addressed to the AGO. Mr. Less noted that he would not take a position on the motion because it is addressed to the AGO. Mr. Less also explained that the AGO does not represent the Commission or any of its members. As

MH Commission Meeting Minutes

February 21, 2023

Page 5

a result, he noted that the AGO does not ordinarily provide legal advice or opinions when asked for them. He noted that it was possible the AGO might respond that it could not answer the question.

Ms. Overlock, Ms. Zorotheos, Ms. Sharkey, Mr. Hallahan, Mr. Newhall, and Mr. Mascoop voted in favor of the motion. Mr. Less abstained.

2) Officer Positions and Commission Membership.

The Commission voted on the positions of Chair, Vice Chair, and Secretary.

Mr. Hallahan and Mr. Less volunteered to remain as Vice Chair and Secretary respectively. Ms. Overlock stated that she was stepping down as Chair after 11 years of holding the position.

Ms. Sharkey made a motion for Mr. Mascoop as Chair, Mr. Hallahan as Vice Chair, and Mr. Less as Secretary.

Ms. Zorotheos seconded the motion.

Mr. Mascoop accepted the nomination, with the caveat that the Commission make it a one-year position and rotate/vote again every year.

The Commission conducted a roll call vote. All in favor: unanimous.

Ms. Zorotheos stated that her commission expired and her tenure will be over.

3) Future Meetings

Mr. Less suggested the Commission meet more frequently since meeting quarterly is not enough time for the Commission to not only learn about the growing number of complex issues the Commission has taken an interest in but to develop responses to these issues.

Mr. Mascoop agreed and also suggested resuming in person meetings.

The next meeting will be April 18th in Chicopee unless the meetings could still be held virtually. Mr. Mascoop suggested holding a summer meeting in Revere.

MH Commission Meeting Minutes

February 21, 2023

Page 6

4) Annual Report and Historical Minutes

Ms. Overlock stated that she will draft an annual report for last year now that she has the October 2022 minutes.

Mr. Mascoop noted that no one has been able to locate the historical minutes. Tom Barry stated that DHCD is actively looking into this.

Mr. Less and Ms. Sharkey left the meeting at 12:00 pm. It was generally agreed there was still a quorum.

OPEN FORUM

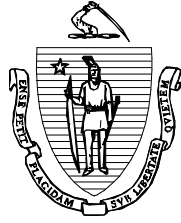
No constituents had anything to share.

MOTION TO ADJOURN at 12:11 pm by: Ms. Zorotheos

Seconded by: Jeff Hallahan

Discussion: None

All in favor: Unanimous



Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the MANUFACTURED HOME COMMISSION

Massachusetts General Laws, Chapter 6, Section 108, establishes the Manufactured Homes Commission. It is the mission of the Manufactured Homes Commission to provide prompt, impartial service to all parties affected by or concerned with matters pertaining to manufactured housing communities, to the maximum extent permitted by law.

**PUBLIC NOTICE
COMMONWEALTH OF MASSACHUSETTS**

MANUFACTURED HOME COMMISSION QUARTERLY MEETING

**Tuesday, February 21, 2023
10:30 AM to 12:30 PM**

To attend the meeting through **video access**, please join the meeting by clicking on the following link: [Click here to join the meeting](#)

To attend the meeting through **audio access** only, please join the meeting by dialing:
1-857-327-9245
– Conference ID: 550 396 901#

This meeting is open to the public. All persons having business to be brought before the Commission are invited to participate.

Commissioners:

**Sandy Overlock, Chair
Jeffrey Hallahan, Vice-Chair
Kathy Zorotheos, Secretary
Tracy Sharkey Commissioner
Ethan Mascoop, Commissioner**

Pursuant Chapter 22, of the Acts of 2022, suspending certain requirements of the Open Meeting Law, this meeting of the Manufactured Home Commission will be conducted through remote participation as noted above to ensure that the public can adequately access the meeting in real time.

For further information contact: Chris Jee, DHCD
christopher.jee@mass.gov
617-573-1313

For reasonable accommodations regarding this meeting, please contact 617-573-1102.

Favor de comunicarse con el Departamento de Vivienda y Desarrollo de la Comunidad de Massachusetts en (617) 573-1100 (TTY (617) 573-1140) para ayuda gratis con el idioma.

Entre em contato com o Departamento de Moradia e Desenvolvimento Comunitário de Massachusetts no número (617) 573-1100 (TTY (617) 573-1140) para obter assistência gratuita com o idioma.

如果您需要免費的語言翻譯幫助，請聯絡麻州住宅及社區發展部 (The Massachusetts Department of Housing and Community Development) 聯絡方式: (617) 573-1100 (TTY (617) 573-1140).

Свяжитесь с сотрудником Департамента жилищного хозяйства и общественного развития штата Массачусетс на предмет оказания бесплатной помощи по переводу на иностранный язык. ((617) 573-1100 (TTY (617) 573-1140)).

Vui lòng liên hệ Bộ Phát Triển Nhà Ở và Cộng Đồng Massachusetts tại (617) 573-1100 (TTY (617) 573-1140) để được hỗ trợ ngôn ngữ miễn phí.

Tanpri kontakte Department of Housing and Community Development [Depatman Devlopman Lojman ak Kominote] Masachousèt la nan (617) 573-1100 (TTY (617) 573-1140) pou asistans gratis nan lang.

Si prega di contattare il Dipartimento Edilizia Abitativa e Sviluppo della Comunità dello Stato del Massachusetts al (617) 573-1100 (TTY (617) 573-1140) per avere assistenza gratuita per la traduzione.

១) នេះគឺជាឯកសារសំខាន់។

សូមទំនាក់ទំនងផ្នែកអភិវឌ្ឍន៍សហគមន៍និងលំនៅដ្ឋានរបស់រដ្ឋម៉ាសាឈូសេត (Massachusetts Department of Housing and Community Development) តាមរយៈ: (617) 573-1100 (TTY (617) 573-1140) ដើម្បីទទួលបានជំនួយ ផ្នែកភាសាដោយឥតគិតថ្លៃ។

On February 16, 2023 this notice was posted at DHCD Open Meeting Notices:
<https://www.mass.gov/service-details/dhcd-open-meeting-notice>

The Commonwealth of Massachusetts

Manufactured Homes Commission

100 Cambridge Street, Suite 300

Boston, MA 02114

(617) 573-1400

Quarterly Meeting January 17, 2023

Virtual

10:30M – 12:30PM

AGENDA

- 10:30** **CALL TO ORDER**
Attendance and Introductions
- 10:35** **APPROVAL OF MINIUTES from October 2022**
- 10:40** **CORRESPONDENCE/COMMUNICATIONS**
No correspondence
- 10:45** **OLD BUSINES**
Manufactured Community list update from Ethan's group
- 12:15** **NEW BUSINES**
_Vote for Chair, Vice Chair, Secretary
Discussion and update on Revere Park Ethan Mascoop
Complaints from residents update report Dan Less
Need AG interpretation of Chapter 140 32L (8) as done with oil tanks
Who are governmental body, Commission of Board.
Any other Business the Board has
- 11:00** **PUBLIC FORUM**
- 12:30** **ADJOURN**

MEMBERS

Sandy Overlock, Chair

Kathy Zorotheos, Commissioner

Jeffery Hallahan, Assistant Chair

Tracy Sharkey, Commissioner

EX-OFFICIO MEMBERS

The Attorney General Office

Dan Less

Director of Housing & Community

Development: Tyler Newhall

Ethan Mascoop, Commissioner

MANUFACTURED HOME PARKS: TRANSIT ORIENTED DEVELOPMENT

Naomi Gross & Erika Teetsel



OVERVIEW

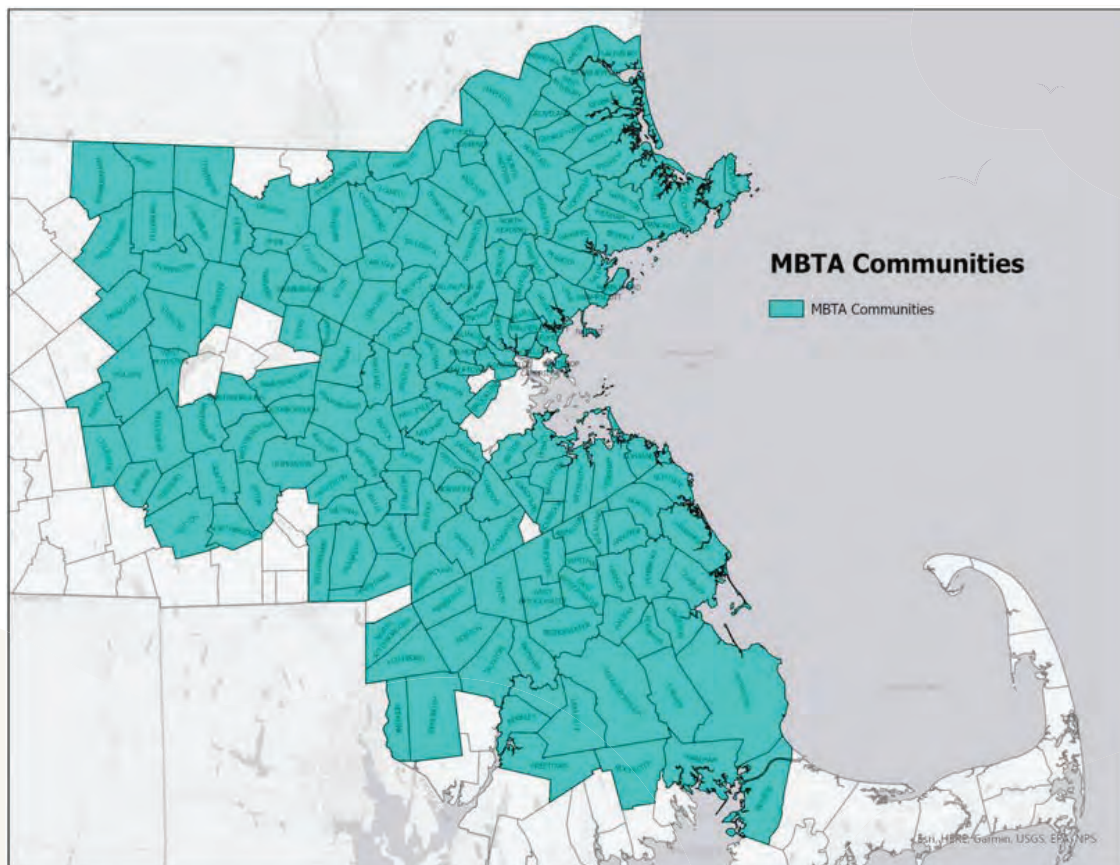
- In July 17th, 2021 the Revere MHP (Lee's Trailer park) was sold to developer Oleg Uritsky
- Residents were pushed out and what was once a 100+ home parks now has, by our estimates, 2 homes occupied
- It has been insinuated by the new owner that they reason for this purchase/demolition is related to the new transit oriented development (TOD) for MA

Current State of Revere Park

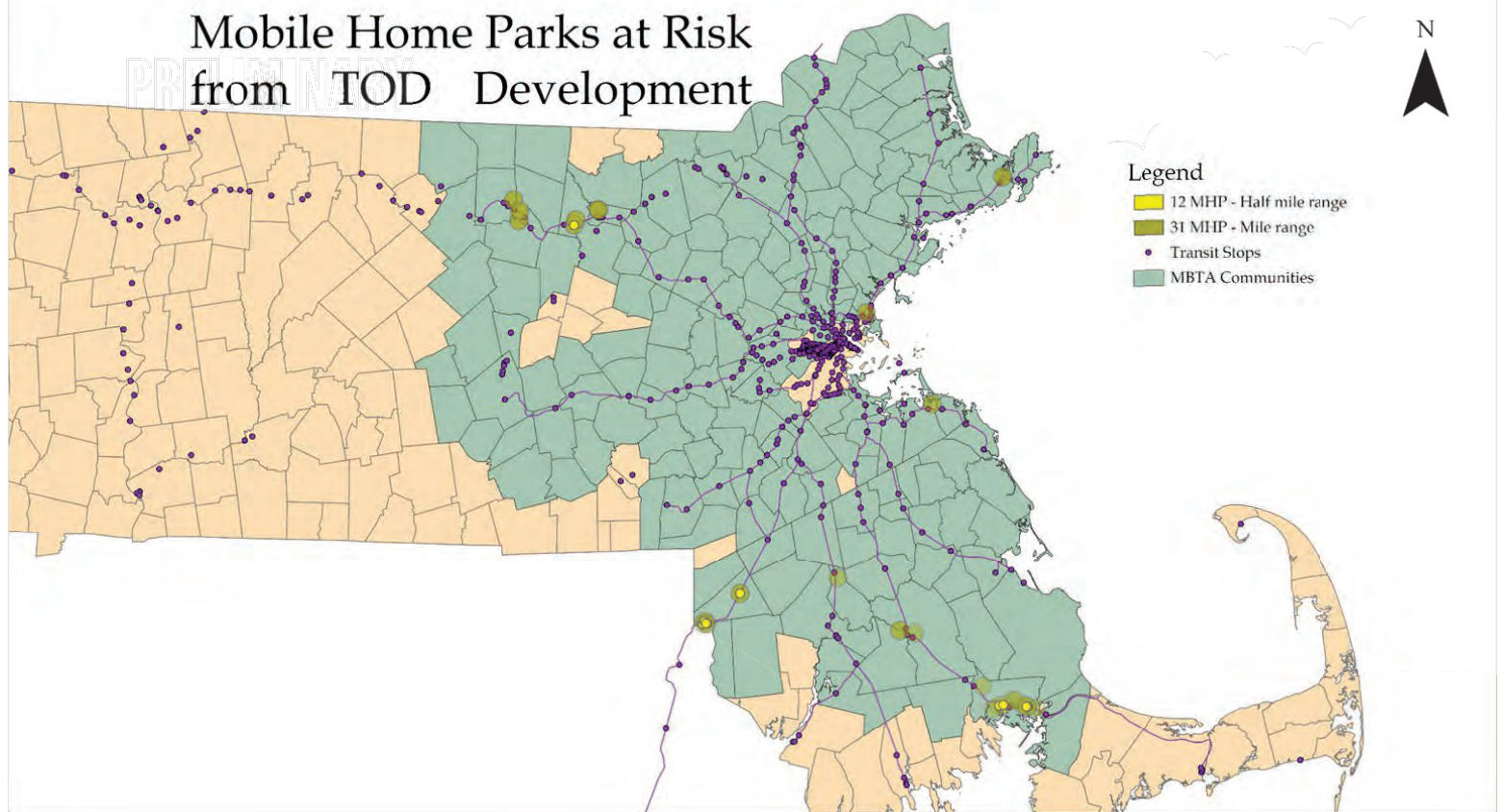


TRANSIT ORIENTED DEVELOPMENT: BACKGROUND

- Goal: promote mixed-use development opportunities for towns that create economic and pedestrian activity around transit stations
- 175 Massachusetts cities and towns qualify
 - *"An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right"*
- TOD can occur within one-half mile, of a transit station, bus station, commuter rail, or ferry terminal
- Repercussions for cities and towns that do not comply with TOD regulations



Mobile Home Parks at Risk from TOD Development



GOALS FOR FUTURE WORK

LEARN THE DEMOGRAPHICS

- Understand the demographics of the parks at risk
- Age, race, and ethnicity most affected

ASSESS RISK

- Identity key MHPs at risk through analysis of zoning policies, mapping, etc.
- Health risks of displacement

POSSIBLE INTERVENTION

- Policy proposal
- Language to protect MHPs in TOD



THANK YOU!

QUESTIONS?

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LEE'S TRAILER PARK REVERE, MA

MANUFACTURED HOMES COMMISSION
FEBRUARY 21, 2023

LEE'S TRAILER PARK PRATT STREET REVERE, MA



Google Sept. 2007



Google Sept. 2018

LEE'S TRAILER PARK REVERE, MA

NOVEMBER 16, 2022

LEE'S TRAILER PARK
PRATT STREET
REVERE, MA



11/16/22

LEE'S TRAILER PARK REVERE, MA



11/16/22

LEE'S TRAILER PARK REVERE, MA



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LEE'S TRAILER PARK REVERE, MA



11/16/22

LEE'S TRAILER PARK REVERE, MA

DECEMBER 1, 2022

LEE'S TRAILER PARK REVERE, MA



12/1/22

LEE'S TRAILER PARK REVERE, MA



12/1/22

LEE'S TRAILER PARK REVERE, MA



12/1/22

LEE'S TRAILER PARK REVERE, MA

FEBRUARY 19, 2023

LEE'S TRAILER PARK REVERE, MA



2/19/23

LEE'S TRAILER PARK REVERE, MA



2/19/23

LEE'S TRAILER PARK REVERE, MA



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2/19/23

LEE'S TRAILER PARK REVERE, MA



7/19/23

LEE'S TRAILER PARK REVERE, MA



11/16/22



2/19/23