



The Town of Barnstable
Affordable Housing Growth & Development
Trust Fund Board
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Mark S. Ells, Chairman

Friday, July 9, 2021
Affordable Housing Growth & Development Trust Fund
Fund Board Meeting APPROVED Minutes
9:00 A.M.

Pursuant to the passage of legislation extending certain COVID-19 measures adopted during the state of emergency, this meeting was closed to the public.

Alternative public access to this meeting was provided by utilizing a Zoom link or telephone number, both provided in the posted meeting notice.

Board Member Attendees: Mark Ells, Chairman, Andy Clyburn, Mark Milne, Laura Shufelt, Wendy Northcross.

Other Attendees: Ruth Weil, AHGDT Staff; Attorney Charlie McLaughlin, Senior Town Attorney; Elizabeth Jenkins, Director, Planning & Development; Councilor Paula Schnepf; Jake Dewey, Applicant; Ellen Swiniarski, CPC Coordinator, Planning & Development.

Call to Order

With a quorum present, Chairman Mark Ells called the meeting to order at 9:05 a.m. and stated that today's meeting is recorded and in accordance with M.G.L. Chapter 30A, s 20 he must inquire whether anyone is recording this meeting and to notify the Chairman that a recording is being made. No one came forward.

Member Introduction

By roll call (present): Laura Shufelt, Wendy Northcross, Mark Milne, Andy Clyburn and Mark Ells.

Topics for Discussion

1. Public Comment

None.

2. Approval of minutes for the 6/25/21 meeting.

Motion was made by Wendy Northcross and seconded by Mark Milne to approve the June 25, 2021 meeting minutes. Roll Call Vote: Wendy Northcross (yes), Laura Shufelt (abstain), Mark Milne (yes) Andy Clyburn (yes) Mark Ells (yes). Motion carries.

3. Application for Funding: Review of the application submitted by Jake Dewey for pre-development funds to support the redevelopment and development of the following parcels located in Hyannis, MA: 560 West Main Street, 4 Elis Drive, 14 Ellis Drive, 15 Elis Drive, 20 Elis Drive, 30 Elis Drive, 31 Elis Drive, 35 Elis Drive, 39 Elis Drive, 40 Elis Drive and 44 Elis Drive.

Ruth Weil reminded that at the last meeting Mr. Dewey was asked to work with Town staff to provide additional information on the best way to secure Trust's investment and provide more specific budgetary information regarding the tasks the Trust was being asked to fund.

Jake Dewey explained that at the last Trust meeting the members had requested a breakdown of information for use of the predevelopment funds. He noted that the first step is for the engineer to determine the sewer component and road layout, then a consultant can provide a zoning analysis and test fit for the parcel. He said he is awaiting estimates from the consultants specific to this scope of work and will return to the Trust with this. Laura agreed that for predevelopment assessment, the red lights need to be determined first, and for this project, it is the sewer design component; the number of units will then be based on the capacity of the land. Laura noted that if the Accessory Dwelling Unit (ADU) zoning amendment is passed, that the minimum that could be accommodated on the parcel was 22 units, although she said there is potential for a larger development if the lots were combined and asked Jake if there was a unit range he had in mind at this time. Jake said that key to the project is the ability to bring sewer in through the 560 West Main Street property; however the sewer capacity is not known yet but seems it should be able to handle a high density development. Jake noted that from a zoning perspective, the Elis Drive lots have merged because they are now in common ownership and do not meet current zoning. Jake explained that if the ADU zoning amendment passes, only 4 units could be constructed by right, making the possibility of a 40B or other way forward, needing to be determined by consultants. Jake advised that he does not have a specific plan for the development of the properties and this is the reason he needs predevelopment funds for professional guidance. He noted that his timeline is not urgent because existing units have been rented, explaining his greatest concern is ensuring that the use of the property is the one that is most beneficial. Elizabeth Jenkins explained there is not an existing zoning opportunity in place that would support the type and density of development that is sought however is happy to help engage in predevelopment discussions to explore local zoning solutions as opposed to a 40B route. Elizabeth noted that the West Main Street corridor is one that is targeted in the Local Comprehensive Plan for infill redevelopment and multifamily, and given those designations for West Main Street, should look at other potential opportunities and existing zoning solutions to promote redevelopment and infill and cut back on the timeframe. Laura suggested that the friendly 40B track be kept as a parallel solution in case a local zoning solution is not available.

Ruth said the items that are outstanding for Jake to return to the Trust with is a budget that the Trust can vote on so funds can be distributed on a reimbursement basis as suggested by Mark Milne. Also, the Trust needs to determine what level and percentage of affordable housing units will be required for the mortgage to be forgiven, Jake said he will bring back to the Trust, a budget outlining the scope of work and costs. Laura cautioned that at each step of the way, the financial feasibility of the project should be checked in order to remain eligible for subsidy funds.

4. Review of the Trust's application for submission to the Community Preservation Committee (CPC) seeking \$2.5 Million Dollars of community preservation funds for community housing.

Ruth Weil reviewed the draft CPC application section by section and asked for input from Trust members. She noted updates that were made for the current application from the 2019 application to the Community Preservation Committee for community housing funds. After Trust member discussion, it was decided that an urgency to disburse the funds will be noted in the application section that includes a completion date. Mark Milne confirmed that the budget included in the draft application provides the Community Preservation Committee with the full picture of what the Trust will have available if approved and it is appropriate to include funds remaining from the initial CPC application.

Under Section 6. Detailed Budget, Laura Shufelt recommended that the amounts for the Development Activity Assistance section for both FY 22 and FY 23 should be raised to \$1.5M. Wendy Northcross suggested that the amount for pre-development assistance also be raised to \$150,000 from \$100,000 for both years. However, the ability to increase the FY 23 estimates may be limited by the reserve for that fiscal year. There was brief discussion confirming the ability to be flexible between the Housing Strategy line items based on demand and it was agreed this would be included in the application as well as an indication that the budget is estimated. Mark Milne will review and finalize the estimated budget section of the application and will make any adjustments necessary. Motion was made by Wendy Northcross and seconded by Mark Milne to submit the CPC application as discussed and amended. Roll Call Vote: Laura Shufelt (yes); Wendy Northcross (yes); Mark Milne (yes); Andy Clyburn (yes); and Mark Ells (yes). Motion passes.

5. Discussion concerning the Trust's participation in the One Plus Mortgage Program administered by the Massachusetts Housing Partnership Program (MHP).

Ruth stated that on June 9, 2021 there was a webinar with Gateway cities, Massachusetts Housing Partnership (MHP), and the City of Boston to discuss the expansion of the One Plus Boston Program. Ruth reviewed the benefits of CPA fund contributions to leverage buying power for first time home buyers. Ruth advised that she is only asking Trust members for the ability to explore the Trust's participation in the program and come back to the Trust to discuss the parameters. Because the running of the One Plus Mortgage Program could possibly be labor intensive, Ruth suggested partnering with Yarmouth. However, the documents and protocols have already been established by the Boston One Program.

Motion was made by Andy Clyburn and seconded by Wendy Northcross to authorize Ruth Weil to explore the Trust's participation in the One Plus Mortgage Program. Roll Call Vote: Laura Shufelt (abstain); Wendy Northcross (yes); Mark Milne (yes); Andy Clyburn (yes); Mark Ells (yes). Motion passes.

6. Correspondence: Report from Elizabeth Jenkins, Director, Planning and Development Department, on expenditures for administrative support services provided to the Trust from January 8, 2021 through June 30, 2021.

Elizabeth Jenkins reported that on January 8, 2021 the Affordable Housing Trust approved Ellen Swiniarski to provide administrative support to the Trust. There was a cap on that support of \$6,000 for the end of the fiscal year with a condition to report back to the Trust on expenditures. A total of 47.5 hours of support to the Trust were reported, primarily for coordination of agendas and preparation of minutes averaging approximately 2 hours per week. Using the FY 21 rate of pay, the total charged to the Trust should have been \$1,504. Attorney Weil said she reviewed the January 8, 2021 vote of the Trust and Elizabeth Jenkins confirmed that continuance of the

provision of administrative support was not contingent upon the report. Elizabeth said she would continue to provide reports to the Trust for this expenditure.

7. Discussion of the request from the Housing Committee regarding facilitating communications between the Trust and the Housing Committee.

Ruth Weil said the Trust had been copying the Housing Committee on each of its quarterly reports to the CPC, but discovered that the Housing Committee had not received those reports which she plans to rectify. The underlying question from the Housing Committee is what are the respective roles of the Trust and the Housing Committee and how they interrelate. Ruth explained the creation of the Affordable Housing Trust is governed by M.G.L. Chap 44 Sec 55C which Barnstable accepted in June 2007 and included in that acceptance was an amendment to the Administrative Code under the Town Manager's duties. The Town Manager was put in charge of the Trust by the Town Council and the Trust subsequently adopted their rules and regulations and the Declaration of Trust which was filed at the Registry of Deeds. Ruth noted that the Trust has broad statutory powers that no other boards and commissions have. Ruth also noted that the Trust is also categorically eligible under the Community Preservation Act to receive CPA funds and is guided in its funding decisions by the Town Council's strategic plan, the CPC Annual Plan, the Housing Production Plan, and the Housing Assessment Plan. The Housing Committee in contrast is advisory to the Town for Local Initiative Program applications and advises the Town Council on affordable housing issues and has interrelationships with a number of town boards under their code section. However, the Trust is not listed among the boards that the Housing Committee interacts, but both share the common goal of creating additional affordable and community housing. Laura noted that this is something that she sees a lot in working with trusts in communities and often when trusts are initiated, there needs to be some clarification on roles between the Trust and the Housing Committee and best ways to communicate what each is doing. There was discussion regarding prior Housing Committee involvement and interaction and how this is communicated. Jake Dewey said that he is the member of Housing Committee that brought this question up and said that the Housing Committee is seeking some direction to reengage so there is not redundancy between the committees and said there should be collaboration between the Trust and Housing Committee and if there is not one, it should be created. Mark Ells said he will follow up with Town Council leadership about their expectations, and noted that the Trust sharing communication with the Housing Committee is something that should definitely continue.

8. Discussion of topics for future meetings.

Chair Ells said there is confusion regarding eligibility for State, County or local funds for housing and has often heard that there is a lot of money that is going to be distributed for housing. He said that there are four Federal criteria, and none provide for housing or bridges. He said the criteria is very specific as to what actually is eligible and asked Mark Milne and Ruth Weil to investigate use of these funds and whether the Trust can play a role in their distribution.

Adjournment

Motion to adjourn was made by Laura Shufelt and seconded by Wendy Northcross. Roll call vote: Laura Shufelt (yes), Wendy Northcross (yes), Mark Milne (yes), Andy Clyburn (yes) and Mark Ells (yes). Motion carried. Meeting adjourned.

List of documents/exhibits used by the Board at the meeting:

Exhibit 1 – Affordable Housing Growth and Development Trust Fund Board Agenda 7/9/21.

Exhibit 2 – Draft minutes for 6/25/21 Affordable Housing Growth and Development Trust Fund Board meeting.

Exhibit 3 – Affordable Housing Growth and Development Trust Application - Mid Point Landing \$65,000 Predevelopment Funds.

Exhibit 4 – Affordable Housing Growth and Development Trust Application to CPC for \$2.5M.

Exhibit 5 – Trust Administrative Support Report – January 8 through June 30, 2021.

Respectfully Submitted,

Ellen M. Swiniarski

CPC Coordinator

Planning & Development Dept.