



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

Friday April 10, 2026
Affordable Housing Growth & Development Trust Fund
Board Meeting Minutes
9:00 A.M.

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: Andy Clyburn, Mark Milne and Laura Shufelt. Mark Ells (absent)

Other Attendees: Jillian Douglass, Trust Administrator, Planning & Development; James Kupfer, Director, Planning & Development; Corey Pacheco, Senior Planner, Planning & Development; Ellen Swiniarski, Community Preservation Coordinator, Planning & Development. Special Counsel, Attorney Robert Galvin, Jr.; David Kaplan for the FORWARD2 project.

Call to Order

With a quorum present, Vice Chairman Clyburn called the meeting to order at 9:03 a.m. and stated that today's meeting will be recorded and rebroadcast via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Video on Demand section on the Town of Barnstable's website. In accordance with MGL Chapter 30A, s. 20, the Chair will inquire whether anyone else is recording the meeting and, if so, please make your presence known. No one came forward.

Member Introduction

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

Public Comment

None.

Topics for Discussion

1. Confirmatory Vote Related to Authorizing Chair to Sign 2nd Amendment to Declaration of Trust – Staff.

Ms. Jillian Douglass, Trust Administrator, said that a confirmatory vote is required for the signing of the 2nd Amendment to the 2025 Declaration of Trust which will be subsequently recorded.

The motion of Mark Milne was seconded by Laura Shufelt to authorize the Trust Chairman, Town Manager Mark Ells, to sign the 2nd Amendment to the Declaration of Trust.

**Roll Call Vote: Mark Milne (yes), Laura Shufelt (yes), and Andy Clyburn (yes).
Motion carried.**

2. Continued Discussion – Seashore Homes (83 Main Street) Form of Security Required by Trust for Grant Funding – Staff

Ms. Douglass explained that the Seashore Homes applicants have expressed that they do not want a mortgage associated with the Trust's grant and will likely withdraw their application. She said that she first wanted to confirm with the Trust that there is no other option. Ms. Douglass confirmed that the applicants are seeking a grant, not a loan, but they did not want to have a permanent lien on the property in the form of a mortgage. Attorney Galvin noted that the Trust has always secured the performance of the grant agreement with a mortgage, otherwise there would not be a financial consequence for noncompliance, saying that the grant money does not have to be repaid if they comply. He explained that there is a good reason why there are two forms of security and advised against shifting away from this practice. All agreed. Ms. Douglass said that she will pass this information to the applicants.

3. FORWARD2 – Request for Payment in Full \$375,000) – Staff

Ms. Douglass referenced the grant agreement and noted that the requisite items under Section 2 have all been met, saying that supporting materials were provided in the meeting packet.

The motion of Mark Milne was seconded by Laura Shufelt that the Trust authorize the release of the second payment in the amount of \$375,000 for the FORWARD2 project.

**Roll Call Vote: Mark Milne (yes), Laura Shufelt (yes), and Andy Clyburn (yes).
Motion carried.**

4. Trust Funding of 1st Year Cost of Joint Procurement Participation in Barnstable County Inter-Governmental Agreement for Regional Housing Services – Staff

James Kupfer, Director of Planning & Development, explained that the Regional Housing Service Office is a first-year program from the Barnstable County. He referenced a pilot project prior to this that stemmed from the Town of Barnstable's inquiry into establishing this Regional Housing Services Office. He noted that the regional office proposes to work with all communities on the Cape that wish to participate in supporting housing initiatives across the Cape. Mr. Kupfer noted that many of these housing initiatives have heavy administrative burdens with repetitive tasks so streamlining and providing support for these activities was a priority for the Town of Barnstable as well as many other communities and the County agreed. The County set up the Regional Housing Services Office through an RFP and has a consulting team on board. The Town of Barnstable has expressed interest in participating through several different Town entities: Administration, Town Council's Ad Hoc Housing Subcommittee, and the Town Council all expressed desire for better monitoring support, which is a primary service provided by the Regional Housing Service Office. Mr. Kupfer explained that monitoring of affordable units listed on the state's Subsidized Housing Inventory (SHI) confirms that the units are in fact serving the population which they were deed restricted to serve. He noted that rental units, ownership units and monitoring of the private monitors who submit reports for larger developments will be included. Mr. Kupfer said that the request of the Trust today is for \$50,000

for the first year noting that the Town of Barnstable has 1,579 affordable units that need monitoring services and that the cost of the service is less than the cost of an employee. Jim confirmed that this request for funding is for the first year only and noted that funding for year two is being asked for through the Planning & Development operating budget process. Laura Shufelt noted that because the affordable housing units are not all trust project units, it would be appropriate to provide support for one year but not beyond since it is the Town's obligation to monitor the affordable housing units. Mr. Kupfer confirmed that the County is seeking a contract and funding now which will be established as soon as possible for the FY26 year ending June 30, 2026. He explained that a housing position in Planning & Development had previously been eliminated and that many of the required services such as monitoring are not presently being accomplished, however the Town of Barnstable is not unique to this situation.

Attorney Galvin said he reviewed the Trust Rules and Regulations and providing direct assistance seems applicable if the Trust so interprets, however usually a Trust would be directly involved in providing needed services rather than funding another entity to perform the work. Laura Shufelt noted that the Department of Revenue has interpreted support under the Community Preservation Act (CPA) in different ways depending on who is issuing an opinion. She said that it is worth the one-time expenditure to secure robust monitoring without a clear prohibition against doing so. Attorney Galvin noted that the request is fully fundable with CPA funds, however the Trust has a narrower purpose and suggested that future funding could be requested directly from the CPC as in other towns, to fund direct assistance to an organization that is supporting affordable housing.

The motion of Mark Milne was seconded by Laura Shufelt to authorize \$50,000 in CPA Trust funds to be expended for contracting with the Regional Housing Service Office for the first year of service.

Roll Call Vote: Mark Milne (yes), Laura Shufelt (yes), and Andy Clyburn (yes).

Motion carried.

5. Correspondence/FYI Updates

a. Project-Based Voucher Concept from Barnstable Housing Authority related to Zoning Board of Appeals Special Permit (2025-013) Condition for 35 Wilkins Lane "Affordable Residences" – Staff

Ms. Douglass reminded the Trust of the condition of ZBA Special Permit 2025-013, requiring the inclusion of 10 additional affordable units and referring to the Trust for funding. She noted that Laura Shufelt, herself, and P&D staff met with the applicants whose first proposal exceeded the Trust's per unit/project limit. She noted that it appeared the proponents were open to the idea of a direct rent assistance program. Barnstable Housing Authority has indicated there is an opportunity for project-based vouchers that could be assigned to the property with specific units designated. Ms. Douglass noted the letter in the packet to the attorneys seeking further discussion. She noted that this would not be something that the Trust would be funding directly and would likely be more of an agreement between Barnstable Housing Authority and the Town. Laura Shufelt added that the project-based vouchers would need to be advertised and open for application from all landlords, however the subsidy would be with the affordable unit. She noted that the rents are not close to the market rate, however, there are some advantages such as prescreened tenants and 3-month rent coverage when turning over an apartment. Laura said that the 6-month timeframe for negotiations has passed, however they did respond, and conversations continue. The Town is facilitating discussions between the applicants and the BHA regarding streamlining project-based vouchers for this project.

6. Updates:

a. Winn Development – Commitment Letter

Attorney Galvin said he has revised the commitment letter to reflect a loan agreement with the same criteria as the grant agreement. He noted that the commitment letter needs to be vetted by the applicant to ensure they agree with the documents. Winn Development is planning to close on the loan in May 2026. All agreed to wait till the May Trust meeting for review and approval of the finalized documents.

7. Topics for Future Meetings/Agendas

a. Planning and/or Workshop(s)

Laura suggested that the Trust hold a planning workshop to ensure that the Trust is doing what they want to accomplish and to explore what can be done if not. She noted that the existing NOFA is two years old and things on the ground have changed.

8. Matters Not Reasonably Anticipated by the Chair

Laura Shufelt said that while she was searching records for an affordable housing restriction that she could share for 100% AMI units, she discovered that one of the Trust projects only had a 20-year restriction recorded for 3 affordable units, while the recorded grant agreement stated they were to be restricted in perpetuity. Attorney Galvin said that the grant agreement is superior to the restriction, and the Trust can require that a restated restriction be executed and recorded.

9. Approval of Minutes from the 12/12/2025 Trust meeting.

Motion of Laura Shufelt was seconded by Mark Milne to approve the 12/12/25 Trust meeting minutes as submitted. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes). Motion carried.

10. Next and Future Meeting Dates – Friday, May 8, 2026.

Andy Clyburn said that Fridays in May are problematic for the Town Manager and suggested that Trust meetings be held on Monday instead. It was agreed that Ms. Douglass would coordinate setting up the date for the next Trust meeting in May.

11. ADJOURNMENT (Roll Call)

Motion of Laura Shufelt was seconded by Mark Milne to adjourn the meeting. Roll Call Vote: Laura Shufelt (yes), Mark Milne (yes), Andy Clyburn (yes). Meeting adjourned.

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

Exhibit 1 – Affordable Housing Trust Fund Board Meeting Agenda for April 10, 2026.
Exhibit 2 – Draft Affordable Housing Trust Meeting Minutes for December 12, 2025, meeting.
Exhibit 3 – 2nd Amended Declaration of Trust – Affordable Housing Trust
Exhibit 4 - FORWARD 2 documentation in support of 2nd payment request in full (\$375,000)
Exhibit 5 – Draft Agreement and Scope of Services – HAC -Regional Housing Service Office
Exhibit 6 – Letter to Attorney for 35 Wilkins Lane regarding project-based vouchers through the Barnstable Housing Authority.

Respectfully submitted,
Ellen Swiniarski
Community Preservation Coordinator
Planning & Development Department