



The Town of Barnstable
Affordable Housing Growth & Development
Trust Fund Board
367 Main Street, Hyannis MA 02601
www.town.barnstable.ma.us



Office: 508-862-4610
Fax: 508-790-6226
Email: mark.ells@town.barnstable.ma.us

Mark S. Ells, Chairman

Friday, September 24, 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: Acting Chairman Andy Clyburn, Mark Milne, Laura Shufelt and Wendy Northcross. Mark Ells (absent)

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

Call to Order

With a quorum present, Acting Chairman Clyburn called the meeting to order at 9:00 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): Wendy Northcross, Laura Shufelt, Mark Milne, Andy Clyburn; Mark Ells (absent).

Topics for Discussion

1. Public Comment

None.

2. Approval of minutes for the 9/10/21 meeting.

Motion was made by Wendy Northcross and seconded by Mark Milne to approve the September 10, 2021 meeting minutes as submitted. Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

Mark Milne noted that a check for the return of funds from Housing Assistance Corp has been received.

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.

This agenda item was continued to the next meeting of the Affordable Housing Growth & Development Trust Fund Board.

4. Review of the Notice of Funding Availability (NOFA) for Fiscal Year 2022-2023.

Ruth noted that based on previous discussions the applications for pre-development funds will be rolling and there will be rounds for development funds however, there was not a final consensus or vote. Members continued discussion regarding having rounds and rolling applications and the benefit of both noting that applications in rounds would allow for applications to be compared while rolling applications would be more flexible and not create additional hurdles. Laura noted that when CPC was holding rounds, an application could be taken out of a round if it was necessary for example to provide a match for a State grant. Members agreed that holding rounds for development funds provides structure and may incentivize developers into coming forward if there is a known deadline with flexibility to take an application out of the round if necessary. It was determined that the developer that Ruth is presently working with should wait for the application round in January, however if there is an urgency, it would be considered out of round.

After discussion, members agreed that applications for funds for pre-development to determine initial feasibility will have limited information available for affordability and number of units up front as this is determined further into the process. Laura Shufelt suggested that for initial feasibility determinations \$50,000 is plenty and once determined feasible, there are other sources of funds that can be accessed for both profit and non-profits organizations. Members agreed that \$50,000 was a good maximum target amount for a pre-development application noting however that if a developer comes in with other challenges on the site, additional pre-development funds would be considered. After discussion, it was agreed that the minimum level of affordability required for forgiveness of the pre-development funds would be 20% with no varying levels. It was acknowledged that prior receipt of Trust funding should not preclude a developer from additional funding and should be reviewed on a case by case basis.

Development Activities

Ruth noted that the first alternative attempts to provide a sliding scale of funding based on the percentage of affordable units and the level of affordability however it does not capture other issues that the Trust looks at in an application and is formula based on the level of affordability which some communities do follow. It was agreed that this formula does not reflect the goal of the Trust's program. After discussion, it was decided to set \$75,000 per unit as the basis with the stipulation that up to \$100,000 per unit can be achieved through the listed housing priorities and if it is discovered that the per unit cap is preventing people from bringing forward development, it can be revisited.

Community Housing

Ruth explained that this category provides for 81-100% AMI under the Community Preservation Act and said she reflected what was in the previous NOFA for this category with \$65,000 per unit with a maximum funding per project of \$500,000 for the sake of discussion. After member discussion regarding demand for housing of all types including market rate and 100% AMI, it was decided that this category should be capped at \$50,000 per unit instead of \$65,000 and kept at 100% AMI or below, noting that there are clear benefits to units being restricted in perpetuity.

All agreed to accept the language under the section “Deviation from Funding Guidelines” requiring the Trust to specifically articulate the circumstance that forms the basis for the deviation outside established funding parameters.

Ruth noted that she spoke with the Town Attorney regarding the electronic submission of Trust applications as a default position. Electronic submission is acceptable as long as an applicant has an option of providing a hard copy if they prefer, and the record is stored with the other electronic records and available for public requests. Further, IT has offered to assist in converting the Trust applications to fillable PDF forms.

Motion was made by Wendy Northcross and seconded by Mark Milne for a final NOFA to be prepared with the changes as discussed at today’s the meeting.

Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

5. Review of the proposed application for Pre-Development Activity funds.

Ruth explained the changes to the application noting that the matrix lays out the various tasks for which a developer would be asking for pre-development funds and the required information and documents. Ruth shared that pre-development funds will be disbursed on a reimbursement basis. Laura said that this is similar to most pre-development funding and allows for the ability to do a hard stop if the project is discovered unfeasible at any point.

Motion was made by Wendy Northcross and seconded by Laura Shufelt to approve the Pre-Development Funding Application. Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

6. Review of the proposed application for Development Activity funds.

Ruth noted the application round deadline of January 22, 2022 and provision for electronic filing on the front page with major changes in paragraph 9 where the financial requirements are spelled out more specifically. Laura Shufelt suggested that the development and operating pro formas at the bottom of page 6 be standardized in order to clearly state what the Trust is seeking for information and also to facilitate comparisons. Laura said she will provide an industry standard to Ruth for the pro formas and noted that Letters of Interest from lenders demonstrate an applicant’s ability to borrow and the lender’s interest in lending which is an industry standard. Ruth explained that the Trust voted for the evaluation criteria to apply only to units 10 or more and will make that clarification. Laura suggested that under “Unit and Income Mix for Sale/Rent” on page 3, the percentage amounts be eliminated so the developer can fill these in based upon the different AMI targets of their project.

Motion was made by Wendy Northcross and seconded by Mark Milne to approve the Development Funding Application with the comments and changes made and addition of the standardized pro forma that Laura will subsequently provide to Ruth. Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

7. Review of proposed revisions of Evaluation Criteria for Development Activity Funds.

Ruth said she added item 13 in the bonus category because it was added in the NOFA for projects converting existing buildings and structures into new affordable housing units – 10 points. She explained that this criterion is also in the Community Preservation Act as well as the Town’s Housing Production Plan. Clarification will be provided that a minimum of 65 base points must be reached before bonus points are applicable.

Motion was made by Laura Shufelt and seconded by Mark Milne to Approve the Evaluation Criteria for Development Activity Funds Worksheet with suggested clarifications. Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

8. Discussion of staff support for the Trust.

Ruth explained that when she retired she had hoped to travel especially during the winter months but obviously the pandemic put a damper on those plans. With luck she said she is hoping to travel more in coming months and hopes to leave at the end of the year but will be available beyond if needed. Andy Clyburn thanked Ruth for the work she has done for the Trust and asked Trust members if the position is one that the Trust would want to continue to pursue moving forward. Wendy said that the Trust has made the most progress with dedicated staff which will still be necessary at some level and recommended that the Trust seek a replacement for Ruth. Laura said that dedicated staff will be needed to move the Trust forward especially if starting to lend and track money and monitor stating she would be in favor of seeking a replacement. Elizabeth Jenkins noted that the position is funded from CPA funds. All agreed that they were comfortable with the Director of Planning & Development working with the Director of Finance and HR to bring on a replacement for Ruth for the start of calendar year 2022.

Motion was made by Wendy Northcross and seconded by Mark Milne for the Director of Planning & Development to work with Director of Finance and Human Resources to bring on a replacement for Ruth for the start of calendar year 2022. As a friendly amendment, Laura requested that the Trust be provided with the proposed Scope of Services of the position so they may provide comment. Roll call vote: Mark Milne (yes), Laura Shufelt (yes) Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

9. Update on request of the Cape and Islands Veterans Outreach Center, Inc. to convert the approved loan of \$90,000 in Trust Funds into a grant to support the creation of 5 Single Room Occupants (SRO) Units for homeless veterans located at 1341 Route 134, Dennis, MA.

Ruth said she received an inquiry from the attorney representing the Veteran’s Outreach Center. He said that the building is fully occupied and rather than taking a loan from the Trust because of timing, they request that the proposed loan be converted to a grant. Ruth shared that no funds

have been disbursed as yet and according to the previous vote of the Trust that was incorporated into the Grant Agreement, the Outreach Center could come back to the Trust to convert the loan to a grant if they can prove the funds are still needed, noting an outstanding line of credit with the Cape Cod 5 Bank that would be paid off with the CPA funds. As originally voted by the Trust, an affordable housing restriction will still be needed and the Town of Dennis as the property owner will need to be a party. Ruth said she would reach out to the Town Planner, Dan Fortier, to see the status of any other CPA funds that have been used for the project and other restrictions that are on the property and then get back to the Trust.

10. Discussion of how best to publicize the Notice of Funding Availability (NOFA) for Fiscal Year 2022-2023.

Ruth said that she and Elizabeth had previously met with Lynne Poyant regarding publicizing the NOFA and one take away was that it would be very helpful to Elizabeth if a hand out with the Trust requirements was created that she could hand to potential developers she is frequently meeting with. It may also be helpful to have something for the public explaining how to create affordable housing in Barnstable also and she suggested an event could be held, noting however that funding is only a part of this. People need to be informed and interested in creating affordable housing and aware that the Town of Barnstable is encouraging, facilitating and funding this. Ruth shared that she would like to create a guidebook for the Trust for anyone to access. She noted that there is a lot of potential and a variety of housing initiatives that Elizabeth is involved in. Additionally, Ruth said she would like to figure out how to induce developers and owners to convert existing units to affordable units because this may be the quickest way to create affordable units however she said she is not sure what incentives would be needed. Laura said almost every community is working toward this goal and the incentives are different in each community noting that it still can be a long process because with an affordable restriction new tenants are required. Laura shared that a simplified process for fewer than 6 units of affordable housing is being worked out at the State level however it may be a year away due to State's being tied up with eviction and foreclosure diversions. Ruth shared that the Trust has initially contacted developers, attorneys on and off Cape but will do this again. It was decided that Ruth, Elizabeth, Ryan and Lynne will work together and return to the Trust for direction.

11. Correspondence.

None.

12. Discussion of topics for future meetings.

- Jake Dewey's Pre-Development Fund Application
- Draft NOFA
- Veteran's Outreach Center
- Update on 1200 Phinney's Lane -contact David Anthony

After discussion regarding previously scheduled Affordable Housing Growth and Development Trust Fund Board meeting dates in the month of October and member availability, it was decided that the Trust will change the meeting dates to October 15 and October 29, 2021.

Motion was made by Wendy Northcross and seconded by Laura Shufelt to change the meeting dates for the month of October to the 15th and 29th respectively. Roll call vote: Mark Milne (yes), Laura Shufelt (yes), Wendy Northcross (yes), Andy Clyburn (yes). Motion carries.

Adjournment

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

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

Exhibit 1 – Affordable Housing Growth and Development Trust Fund Board Agenda 9/24/21.

Exhibit 2 – Draft minutes for the 9/10/21 Affordable Housing Growth and Development Trust Fund Board meeting.

Exhibit 3 – Draft Notice of Funding Availability (NOFA) for Fiscal Year 2022-2023

Exhibit 4 – Draft Application for Pre-Development Activity Funds.

Exhibit 5 – Draft Application for Development Activity Funds.

Exhibit 6 – Draft Evaluation Criteria for Development Activity Funds.

Respectfully submitted,
Ellen M. Swiniarski
CPC Coordinator
Planning & Development