



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

AFFORDABLE HOUSING GROWTH & DEVELOPMENT TRUST FUND BOARD  
MEETING  
September 25, 2020  
9:00 A. M.

Zoom meeting ID: 989 0139 2301

As a result of the COVID-19 State of Emergency, this meeting was closed to the public to avoid group congregation.

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

**Board Member attendees:** Mark Ells (Chair), Mark Milne, Wendy Northcross, Laura Shufelt.

**Other Attendees:** Charlie McLaughlin, Senior Counsel, Ruth Weil; AHG&DTFB Staff; Elizabeth Jenkins, Director of Planning and Development. Alisa Galazzi, Executive Director of the Housing Assistance Corporation, Cassi Danzi, Housing Assistance Corporation

**Topics For Discussion**

**1. Public Comment**

No public comment.

**2. Approval of minutes of the 8/28/2020 meeting.**

Wendy Northcross pointed out an error in the minutes in the transposition of 850 Falmouth Road to 805 Falmouth Road.

Motion: Wendy Northcross moved to approve the 8/28/2020 minutes as amended., Mark Milne seconded the motion

Vote: Mark Ells called for a roll call vote: Mark Milne (Yes), Wendy Northcross (Yes), Laura Shufelt (Yes), Mark Ells (Yes).

Vote carries

**3. Discussion with the Housing Assistance Corporation (HAC) regarding the Temporary Emergency Relief Program including Housing Assistance Corporation's first monitoring report and how Barnstable residents will be provided equal access to both the state and county emergency housing relief funds also being administered by HAC.**

Alisa Galazzi, the Executive Director of the Housing Assistance Corporation, stated that HAC has created a single application for all its emergency rental assistance programs. This ensures that Barnstable residents have access to all of HAC's program. As a result, Barnstable residents have been able to access other funds which HAC administers and no Trust funds have been expended to date. (Three applications, which did not qualify for any other HAC programs were denied as being ineligible or incomplete). But with the lifting of the eviction moratorium, it is expected that the Trust funds for Barnstable residents will be accessed once HAC's other funding sources are depleted.

Laura Shufelt asked about how successful HAC's streamlined process has been. Laura indicated that she has heard that statewide there are an average of "8" to "10" touches per application. Alisa Galazzi indicated that HAC is using a new software called Cognito that provides reminders regarding missing information. Cassi Danzi from HAC stated HAC's average "touch" per application is two or three with two weeks to process. Laura complimented HAC on how it has streamlined its application process.

Trust Chair, Mark Ells thanked HAC for the report and indicated that the Trust looks forward to the continued collaboration.

**4. Review and possible vote on First Amended Declaration of Trust for the Affordable Housing/Growth and Development Trust Board.**

Ruth Weil stated that as part of the continued efforts to update Trust documents, the Board is being presented with the First Amended Declaration of Trust. Ruth indicated that since the original Declaration of Trust was voted upon, the state law authorizing the creation of municipal affordable housing trusts, G.L. c. 44 s. 55C, has been amended to expand the purposes for which a municipal affordable housing trust can receive funds to include community housing funds under the Community Preservation Act (CPA). That change is reflected in Article 2 as well as in Article 6. Para 1. Chapter 44B, the Community Preservation Act is referenced as a source of funding and requires that the expenditure of CPA funds awarded to affordable housing trusts must conform the requirements of the CPA. Additionally, Ruth stated that the existing declaration of trust did not clearly delineate the role of the Town Manager in the administration of the Trust as was established by the Town Council in TC order 2007-158. Article 3 has been added to recite the specific authority of the Town Manager. The changes under Article 4 basically acknowledge the Town Manager's authority to establish the number of Trustees and lists qualifications that reflect how the Trust appointments have historically been made by the Town Manager, leaving the final determination as to the qualifications to the Town Manager's discretion, as per the Town Council's order.

Wendy Northcross raised a question about the use of the phrase "sound and prudent economic development" which she posited needed further clarification.

Ruth Weil indicated that was the language used in the original Town Council order but that doesn't preclude further amplification of that category.

A discussion ensued concerning potential sources of funding to the Trust for economic development, including Cape Cod Commission mitigation funds.

Laura Shufelt stated that the Declaration of Trust, Article 2, requires that segregation of housing funds and economic development funds, with undesignated funds to be allocated into either category at the Trust's discretion.

Wendy Northcross moved the adoption of the First Amended Declaration of Trust, as presented. Mark Milne seconded the Motion.

Vote: Mark Ells asked for a roll call vote: Mark Milne (Yes), Wendy Northcross (Yes), Laura Shufelt (Yes), Mark Ells (Yes).

Vote: Carries

Ruth Weil stated that the execution of the First Amended Declaration of Trust will be coordinated through the Legal Department. Ruth suggested that in light of the difficulty in coordinating execution before a Notary Public, due to the coronavirus, that two versions should be executed- one notarized, one not notarized.

Mark Milne raised the question as to whether the Trust members needed to be reappointed.

Mark Ells asked Charlie McLaughlin to look into that issue and prepare an order for the Town Council if it was time to reappoint Trust Board members.

Wendy Northcross stated that it was an appropriate time to disclose that she is seeking advice from the State Ethics Commission to avoid any conflict of interest. Wendy indicated that in her paid position, the Chamber receives grants from the State to assist developers with development projects. In her volunteer position as a member of the Trust, she approves funding for development projects. Recently, several developers come forward with large development projects in Barnstable seeking advice. While this has not happened before during her tenure with the Trust, these projects may be also seeking funding from the Trust. Wendy is asking for guidance from the State Ethics Commission to make sure that she proceeds in a manner that complies with the conflict of interest law.

**5. Presentation by the project's development team of the application submitted by "Residence at 850", a proposal applying for \$1.4 million dollars in Trust funds to create 14 units of affordable rental housing to be located at 850 Falmouth Road, Hyannis.**

Ruth Weil reported that the applicant has requested that the presentation be continued until they resolve certain permitting issues. The item will be placed back on the agenda once the applicant indicates that he has those issues resolved and is ready to move forward.

**6. Discussion and possible vote to hire an outside housing development consultant to provide a financial review and analysis of the *pro forma* contained in the request for**

**funding submitted by the “ Residence at 850”, a proposal applying for \$1.4 million dollars in Trust funds to create 14 units of affordable rental housing to be located at 850 Falmouth Road, Hyannis.**

Laura Shufelt stated that she suggested the hiring of an outside housing consultant since this is a complicated application. It would be helpful to have an outside entity review the proposal to ensure that it is viable and that the financial assumptions are supportable.

Mark Milne agreed that an outside review is necessary in light of the size and scope of the proposal.

Wendy Northcross asked whether there were any other projects in the pipeline which could perhaps be bundled with the 850 Falmouth Road project for a housing consultant to review.

Elizabeth Jenkins stated that she was not aware of any other projects of this size and complexity that are seeking Trust Funds. As to the timing of the review of the 850 Falmouth Road project by an outside housing consultant, Elizabeth indicated that the zoning amendments being sought could affect density and other aspects of the project, so it made sense to wait until to that process was completed.

Charlie McLaughlin raised the question of whether the Trust should, as a general policy, seek reimbursement for the cost of the housing consultant from a successful applicant.

Wendy Northcross raised a concern that the Trust might expend all its funds on a good project and have no funds left for a great project.

Laura Shufelt shared Wendy’s concerns. Laura stated that right now applications are being reviewed on a rolling basis and that the evaluation of each project should be weighed as to the public benefits provided.

Motion: Wendy Northcross moved to hire an outside housing development consultant to provide a financial review and analysis of the *pro forma* contained in the request for funding submitted by the “ Residence at 850”, a proposal applying for \$1.4 million dollars in Trust funds to create 14 units of affordable rental housing to be located at 850 Falmouth Road, Hyannis with an upset limit of \$2,000, unless the Trust votes to increase the amount. Laura Shufelt seconded the Motion.

A discussion ensued as to whether the Motion should be amended to include reimbursement of the cost by the applicant. There was general agreement that this implicated a larger policy issue but that the original Motion could be amended to include the reimbursement if the Trust so voted.

Wendy Northcross moved to amend the Motion to add that the applicant shall reimburse the Trust for the cost of the housing consultant. Laura Shufelt seconded.

Mark Ells called for a roll call vote on the amendment. Wendy Northcross (Y), Mark Milne (N), Laura Shufelt (Y), Mark Ells (N).

Amendment does not carry.

Mark Ells called for a roll call vote on the main motion. “ To hire an outside housing development consultant to provide a financial review and analysis of the *pro forma* contained in the request for funding submitted by the “ Residence at 850”, a proposal applying for \$1.4 million dollars in Trust funds to create 14 units of affordable rental housing to be located at 850 Falmouth Road, Hyannis with an upset limit of \$2,000, unless the Trust votes to increase the amount. “ Wendy Northcross (Y), Mark Milne (Y), Laura Shufelt (Y), Mark Ells (Y). Motion carries.

**7. Review and possible vote to approve an evaluation instrument to be used in the review of development activity applications seeking funding under the Notice of Funding Availability (NOFA).**

Ruth Weil stated that the comprehensive Notice of Funding Applicability that was adopted by the Board contained evaluation criteria and priorities. We promised to produce an evaluation work sheet so that in evaluating projects, the Board members could comprehensively and objectively review applications. What is before the Board are the evaluation instruments for the Development Activities category. The category in the approved NOFA for which \$1 million was allocated. There are two interrelated documents before you today. One is the Application Evaluation Worksheet-Development Activities. The other is the Development Activities Point Assignment.

Wendy Northcross asked that a net zero energy building be awarded points in the evaluation criteria. Laura Shufelt asked whether that could be inserted in “3. Strength of Overall Concept” under the sustainable development bonus point category. Wendy was amenable to inserting it as bonus points in that category.

There was a discussion about the flexibility in applying the evaluation criteria. Laura Shufelt stated that the range of points provided flexibility in the evaluation process. Also, these criteria would not be applied to “one offs” or smaller projects.

Elizabeth Jenkins was asked for her thoughts about the evaluation criteria. Elizabeth stated that the criteria was consistent the Town’s various planning documents. As more competitive projects come forward, objective criteria will be important in evaluating each project.

The Chair asked the Board if they were ready to vote on the criteria. It was pointed out that if there were any changes that needed to be made, they could be easily addressed at subsequent meetings.

Wendy Northcross moved to approve the evaluation instruments as presented with the amendment regarding net zero energy buildings to be used to t review of development activity applications seeking funding under the Notice of Funding Availability (NOFA). Laura Shufelt seconded the Motion.

Mark Ells called for a roll call vote. Wendy Northcross (Y), Mark Milne (Y), Laura Shufelt (Y), Mark Ells (Y). Motion carries.

No other matters not reasonably anticipated by the Chair.

Meeting Adjourned.

Accepted \_\_\_\_\_  
Date \_\_\_\_\_ and time \_\_\_\_\_.

Exhibits

- Monitoring Report of the Housing Assistance Corporation as of 8/30/2020
- First Amended Declaration of Trust
- Town of Barnstable AHGDT Application Evaluation Worksheet-Development Activities 2020
- Town of Barnstable AHGDT Development Activities Point Assignment 2002