



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

**Friday, March 5, 2021**  
**Affordable Housing Growth & Development Trust Fund**  
**Fund Board Meeting APPROVED Minutes**  
**2:30 P.M.**

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 telephone number, both provided in the posted meeting notice.

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

**Other Attendees:** Ruth Weil, AHG&DTF Staff; Elizabeth Jenkins, Director of Planning & Development; Arden Cadrin, Housing Coordinator, Planning & Development; David Anthony, Director of Asset Management; Tim Telman and Bob Carleton, Applicants; Jake Dewey; Ellen Swiniarski, CPC Coordinator, Planning & Development.

**Call to Order**

With a quorum present, Chairman Ells called the meeting to order at 2:30 p.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: Wendy Northcross, Laura Shufelt, Mark Milne, Andy Clyburn and Mark Ells.

**Topics for Discussion**

**1. Public Comment**

No comment from the Public.

**2. Approval of minutes for the 2/26/21 meeting.**

Motion was made by Wendy Northcross, and seconded by Laura Shufelt to approve the February 26, 2021 meeting minutes as submitted. Roll Call Vote: Wendy Northcross (yes), Andy Clyburn (yes), Laura Shufelt (yes), Mark Milne (yes), Mark Ells (abstained). Motion carries.

### 3. Continued Applications:

**Continuation of the review of, and possible vote on, the revised application submitted by Standard Holdings, LLC for a project identified as “Residence @ 850”, a proposed multifamily housing development applying for \$1.4 Million Dollars of Trust funds to create 10 units of affordable rental housing, to be affordable to individuals and families whose income is 50% of the Area Median Income (AMI), to be located at 850 Falmouth Road, Hyannis, MA.**

Ruth Weil explained that the Trust evaluation instruments require review of projects with a threshold of a minimum of 65 points for a project to be considered for funding. Ruth suggested that in order to determine this minimum eligibility, each Trust member to state their total score. If eligible, Trust members can then elaborate on each evaluation category, or provide a general summary of their analysis under the evaluation guidelines.

Chairman Ells polled the Trust members regarding the total score each had assigned for the project. Laura Shufelt, 68 points; Wendy Northcross, 108 points; Mark Milne, 86 points; Andy Clyburn, 91 points; Mark Ells, 89 points. Chairman Ells determined that the Application merits consideration, as each Trust member’s total score was above 65 points and proceeded with discussion because the threshold has been met. Ruth Weil reminded that the number of points assigned is not correlated with any funding amount, and would require a separate discussion by the Trust. Ruth suggested that it would be helpful for each member to discuss their evaluation under each category and then hold a group discussion how Trust members would like to move forward and vote on the application and proposed conditions. Ruth noted that prior to the meeting, she shared proposed conditions with the Trust members with a copy to the applicant, however, Trust members may have other conditions that they would like to share.

Andy Clyburn explained points he assigned for each evaluation category: TOTAL 91 Points

1. Affordability – 18 points - Maximum points 25
  - 15 points for the number of units targeted as affordable and;
  - 3 points for the percentage of affordable units in development.
2. Amount of other funds to leverage Trust investment – Maximum 10 points
  - 10 points
3. Strength of Overall Concept – Maximum 20 with 6 bonus points available.
  - 20 points - 0 Bonus points
4. Strength of Development Team – Maximum 15
  - 10 points
5. Feasibility/ Operating Costs Maximum points – 20
  - 20 points – based upon the consultant’s review
6. Number and Percentage of Units accessible to individuals with disabilities – Maximum points – 5
  - 0 points – did not see this included.
7. Readiness to Proceed – Maximum points -5
  - 3 points – there is still is some permitting work to be completed.

Bonus Categories

- #9 – rental units to be affordable to households at or below 50% AMI. -10 points
- #8, 10, 11 & 12 were not applicable.

Laura Shufelt explained points she assigned for each evaluation category: TOTAL 68 points

1. Affordability – 18 points.
2. Other funds to leverage Trust investment – 0 points  
The other money is not for affordable housing, it is for market housing.
3. Strength of Overall Concept – 17 points
4. Strength of Development Team – 5 points  
Did not see any experience in residential projects of this size, fair housing or affordable housing,
5. Operating cost – 15 points  
Still some questions about construction costs and solar credits in the budget.
6. Accessibility – 0 points  
There needs to be accessible units in the development budget.
7. Readiness to Proceed – 3 points

Bonus Categories

- #9 – rental units at 50% AMI – 10 points
- #8, #10, #11, #12 were not applicable.

Wendy Northcross explained points she assigned for each evaluation category: TOTAL 108 points

1. Affordability – 25 points
2. Leveraging Trust investment – 10 points  
91% of the financing coming from other sources
3. Strength of Overall Concept – 21 points
4. Strength of Development Team – 15 points  
Development team is strong. Financial expertise is excellent and impressive.
5. Financial feasibility/operating costs – 20 points
6. Accessible Units – 2 points  
There are 3 ADA units in the development.
7. Readiness to proceed – 5 points

Bonus Categories

- #9 – rental units at 50% AMI – 10 points

Mark Milne explained points he assigned for each evaluation category: TOTAL 86 points

1. Affordability – 18 points
2. Leveraging Trust investment – 10 points  
Majority of funding is non-Trust
3. Strength of Overall Concept – 18 points out of 20  
Solar issue and no solar \$ going into the pro forma
4. Strength of Development Team – 15 points  
Development team is strong. Project is complicated, financial background is excellent.
5. Financial feasibility/operating costs – 20 points
6. Accessible Units – 0 points  
Was not included in application
7. Readiness to proceed – 5 points

Bonus Categories – 0 points

Mark Ells explained points he assigned for each evaluation category: TOTAL 89 points

1. Affordability – 18 points
2. Leveraging Trust investment – 10 points  
Evaluated the overall project: market and affordable units
3. Strength of Overall Concept – 22 points
4. Strength of Development Team – 9 points  
There were some outstanding questions
5. Financial feasibility/operating costs – 20 points
6. Accessible Units – 0 points  
Not included.

Bonus Categories

#9 – 10 points

Ruth Weil suggested that Trust members may now want to discuss whether they want to fund the Application, and if so, at what level. She suggested a motion to approve the project, or in the alternative, discuss the Application first and then move to approve the project at a certain funding level.

Motion was made by Andy Clyburn and seconded by Wendy Northcross to approve the Application of Standard Holdings, LLC for \$1.4M of Affordable Housing Growth and Development Trust Funds for the creation of 10 affordable rental housing units to be located at 850 Falmouth Road, Hyannis, to be offered to households whose income is 50% AMI or below.

Discussion: Laura Shufelt reiterated that the financial review did not include \$91,000 of solar credit and said that this should reduce the Trust funding ask by that amount. She noted that there is already some cushion in the tax credit of about \$100,000 that will not be known for 3 years, however, the \$91,000 is actual and is based on their estimate of \$350,000 and a 26% tax credit. Laura suggested a motion to reduce the Trust funding amount by \$91,000 because it is revenue that was not included in the financials and questions regarding the solar credit were unanswered. Laura stated that she did the research, and it is 26%.

Motion was made by Laura Shufelt and seconded by Mark Milne to amend Andy Clyburn's motion to approve the Application by reducing the amount to \$1,309,000 of Affordable Housing Growth and Development Trust Funds. Roll call vote for amendment to reduce amount: Laura Shufelt (yes), Wendy Northcross (no), Mark Milne (no), Andy Clyburn (no), Mark Ells (yes). Motion did not pass.

Roll call vote for original motion by Andy Clyburn for \$1.4M: Laura Shufelt (no), Wendy Northcross (yes), Mark Milne (yes), Andy Clyburn (yes), Mark Ells (yes). Motion carries.

Ruth Weil advised Trust members that she had circulated a series of potential conditions and noted that Trust members should discuss if there are additional conditions or conditions that should be removed. Ruth shared that she touched base with MassDevelopment and they are willing to partner with the Town of Barnstable to release the money on a prorated construction loan basis. This would protect the Trust's investment, and also allow the developer to have the infusion of cash needed to go forward without having to borrow additional funds. She advised that at some point, the Trust may want to address if they are comfortable with this approach. Ruth advised that the next motion would be to approve the project subject to the list of

conditions that were provided, however, there should be discussion to see if Trust members want to add or subtract conditions from that list.

Motion was made by Andy Clyburn and seconded by Wendy Northcross to approve the “Possible Grant Agreement Conditions for the Residence@850” dated March 4, 2021 as provided.

Discussion: Laura Shufelt indicated that she had additional conditions and questions that she would like to share:

- Laura inquired if the affordability restriction would survive foreclosure and who certifies compliance. Ruth explained that the DHCD standard affordable housing restriction model would be used so it would survive foreclosure, however, this should probably be added as a condition, as well as identification of a monitoring agent.
- Laura stated that the Trust should add a condition either the Trust approve a lottery and marketing agent and management agent, or get evidence of Mass Development’s approval;
- An additional condition that the Trust receive an annual report of compliance that can be a duplicate of the reports to DHCD or Mass Development;
- Additional condition that the Trust approve the transfer of property or a change in the membership of the LLC for the first 10 years; and
- Additional condition that one of the 3 fully accessible units be designated as one of the 10 affordable units.

Laura stated that she wanted to clarify under “Other Considerations” that increasing the award, fees would be to the Town, not fees to the developer. We are not increasing their amount based on any additional fees they would have from the developer. Ruth said that when she spoke to Mass Development, they did not mention any fees that were going to be charged to the Town. However, this can be revisited and come back to the Trust if there are fees involved. Ruth noted that there will be an agreement between MassDevelopment and the Town specifying how the trust funds will be disbursed, so there will be opportunity for those details to be worked out.

Chairman Ells wanted to ensure that Trust members were clear as to the amendments of the seven Grant Agreement Conditions as written. Ruth stated that she was able to confirm that there will be a minimum of 3 accessible units within the development. The additional condition that one of the ADA units be affordable is reasonable and consistent with the Trust purpose for funding. Ruth said that amendments to the conditions from the floor are appropriate to move forward for a vote, however, it should be considered if the proposed modification to the conditions should instead be brought back to the Trust in written form for a vote at the next meeting scheduled March 26, 2021. A subsequent motion for consideration is to give the Chairman authority to approve the Grant Agreement. .

Chairman Ells noted Laura Shufelt’s motion for modifications to the conditions as written, which was then seconded by Mark Milnes.

Discussion; Wendy Northcross requested a copy of Laura's additional conditions. After brief discussion, members decided they would prefer to vote after the conditions document is modified with the additional conditions proposed by Laura incorporated at the next meeting. Mark Milne suggested that the Trust should also decide on the method of disbursement as well which should be included in the final draft, noting that there presently are two alternatives existing. Ruth said that the last version that includes discussion about disbursement by Mass Development will be sent out again to the Trust members.

Andy Clyburn clarified that the vote for approval of Standard LLC's Application stands and that only the vote of the possible conditions of that approval will be delayed until the next meeting scheduled for March 26, 2021. Andy noted that the reason the Trust was meeting a week early because there were issues with quorum in the month of March.

Mark Ells polled members regarding availability at the March 26, 2021 Affordable Housing Growth and Development Trust meeting: Laura Shufelt (yes), Wendy Northcross (yes), Mark Milne (yes), Andy Clyburn (yes), Mark Ells (yes).

Laura Shufelt withdrew her motion to amend the Grant Agreement Conditions as provided to allow for incorporation of suggested amendments into the document for a vote of the Trust members at the March 26, 2021 meeting. Also, Ruth will bring back the motion to authorize the Chairman to approve the Agreement at the March 26, 2021 meeting.

**4. Update on the evaluation for the development of affordable housing on the portion of the property now addressed as 1200 Phinney's Lane, Hyannis, (Map 274 Parcel 031) which was formerly owned by the Disabled American Veterans (DAV).**

David Anthony, Director of Property & Asset Management, explained that progress is being made as to how to transfer this property over to the Affordable Housing Trust at the appropriate time to develop this property with affordable housing as a component of that development. He noted internal conversations and some discussion with the Asset Management Advisory Committee and explained that the Committee has not taken a vote on any kind of recommendation to the Town Manager on this property. However, there is a possibility that the Committee may vote at their March 24, 2021 meeting on a recommendation on the disposition of the property. He noted some of the work yet to be done regarding the parcel boundaries and layout. Also discussed was the idea of hiring a consultant to undertake a predevelopment evaluation of the parcel using some of the budget that the Asset Management Advisory Committee was able to generate under the Town Manager from the sale of previous properties.

Mark Ells noted that this is considered to be a disposition of property and the procedure for this must be followed and asked if this parcel has been identified to all of our departments as a parcel that we are planning on disposing of? David said that they have not spoken directly with DPW or Conservation because the timing was not correct, although offered to try to get this accomplished by the March 24 Asset Management Advisory meeting if needed, however, a recommendation from the Committee would move it to the Town Manager, who would complete the disposition process. In conversations with Chief Sonnabend, David said that the Chief did not indicate a direct need for the parcel. However, the Chief did express concerns about the security issues of the back parking lots as this would invite pedestrian traffic through the woods. Andy Clyburn noted his conversations with Chief Sonnabend about this specifically and said that the Town does have a proposed Capital Improvement Plan (CIP) for security and it would be a matter of accelerating and possibly modifying that CIP to make sure the work is completed prior

to this project; the Chief is in the loop. Chairman Ells said that he wants to ensure that the process for the disposition of property is followed and that Town departments have an opportunity to review parcels proposed to be disposed of.

Elizabeth Jenkins, Director of Planning and Development wanted to make the Trust aware that the parcel originally was acquired for Police purposes it will take a 2/3 vote of the Town Council to change that restriction of use. She noted that a lot of cleanup work is needed regarding title and encumbrance issues. She also stated that they are looking to do “test fits” on the property to evaluate development potential as well as the precise boundaries. She did not think that these would be ready for the Asset Management Advisory Committee meeting on March 24 relative to the precise boundaries. Once information is available, the next step would be to come to the Trust to recommend that a request be made for the Town to transfer the parcel to the Trust.

##### **5. Update on the Application to the Massachusetts Housing Partnership Affordable Housing Trust Intensive Technical Assistance Program.**

Ruth Weil said that she reached out to the individual in charge of the Massachusetts Housing Partnership Affordable Housing Trust Intensive Technical Assistance Program and confirmed that predevelopment analysis that they were thinking about for 1200 Phinney’s Lane parcel is not appropriate for that program. Ruth explained that this program is more for enhancing Trust technical skills internally. This is why both Elizabeth and David mentioned use of Town funds to serve that purpose. Laura Shufelt added that Trust funds can also be used for predevelopment and offered that the Trust approve funds for predevelopment for that site as an option. David Anthony said timing may not allow this as the predevelopment work will be performed before the land is transferred to the Trust and noted that he was unsure if Trust funds can be used prior to having control of the property. David said that he thought Asset Management funds could for relatively short money obtain the information to inform the transfer over to the Trust. Andy Clyburn agreed that this is within the 4 corners of what those prior parcel sales have funded and is clearly the intent of what David is trying to do in valuation of Town held properties. He opined that using Trust funds for predevelopment, would actually slow down the process.

Laura asked what the purpose of the soil test would be with the parcel having sewer and water. The term “test fits” was used by Elizabeth Jenkins and is a planner’s term regarding doing an arrangement of building and parking on the lot. Wendy confirmed that the CIP mentioned is the Capital Improvement Plan. Andy further explained that the CIP list carries a significant 5 – 10 year backlog. There exists is a proposed project on the CIP list to address what the police had envisioned for security. This was the Chief’s first blush request is it take a look and make sure that CIP went through.

Chairman Ells asked Elizabeth about her thoughts about utilizing this for affordable housing given its location. Elizabeth said that given the developed nature of the area, the proximity to the police station, the underutilization of the parcel today and the prior comprehensive plan, all point to this area as one that is appropriate for a multifamily housing development. She noted that the parcel is in a split zone with half the parcel in the B zoning district which permits multifamily housing. While the zoning in full does not support the type of development, it does in part so the parcel is very well suited parcel for the development we are envisioning here. As we move these conversations along, we have had significant interest from folks who might be looking to be partners on this project. Chair Ells said that so far, his communications with the Asset subcommittee have been that they would concur with what Elizabeth said. It is one of two

parcels under consideration for transfer to the Trust that have not said that they are opposed. He found the need for a 2/3 vote from the Town Council to be important.

**6. Discussion of topics for future meetings.**

Laura Shufelt said that she would possibly like to bring forth a homeownership subsidy through a mortgage interest rate reduction. This product is one that MHP has piloted in Boston and other Gateway cities and areas are looking at trying to replicate it. It is basically allowable under “support of community housing” category under the Community Preservation Act. The program offers a 1% discount on the interest rate and has income limitations up to 100% of AMI, The mortgage rates are now in the 1.85% range for 30 year fixed. Applicants would borrow from banks that are offering this program. Laura said that she thought it could be something she could bring to the Trust for discussion. Arden Cadrin, Housing Coordinator, asked if MHP is providing the mortgage interest reduction what is the need from the Trust? Laura said that MHP administers the One Mortgage, the One Plus further reduces the interest rate by partnering with a local entity. The Trust would fund the 1%; which equates to approximately \$45,000 -\$50,000 for each property.

**Adjournment**

Motion to adjourn was made by Wendy Northcross and seconded by Laura Shufelt. Roll call vote: Laura Shufelt (yes), Wendy Northcross (yes), Mark Milne (yes), Andy Clyburn (yes) Mark Ells (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 3/5/21.
- Exhibit 2 – Draft minutes for 2/26/21 Affordable Housing Growth and Development Trust Fund Board meetings.
- Exhibit 3 – Point Assignment for Evaluation of Development Activities.
- Exhibit 4 – AHGDT Application Evaluation Worksheet – Development Activities 2021.
- Exhibit 5 - Memorandum dated March 4, 2021 from Ruth Weil RE: Possible Grant Agreement Conditions for the Residence@850
- Exhibit 6 – Standard Holdings LLC – Barnstable Affordable Housing and Growth Development Trust Application
- Exhibit 7 - Financial Review and Analysis of Pro Forma for Residence@850, dated February 3, 2021 by Paul Ruchinskis

Respectfully submitted,

Ellen M. Swiniarski  
CPC Coordinator  
Planning & Development Department