

Harwich Affordable Housing Trust  
Thursday, May 21, 2020 – 2:00 PM  
Griffin Room, Town Hall, 732 Main Street, Harwich  
This meeting will be held VIA REMOTE PARTICIPATION.  
Access is available through GoToMeeting.com and live broadcast on Channel 18

JOIN THE MEETING FROM YOUR DEVICE (Computer, Tablet OR Smartphone):  
<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/310011557>

DIAL IN INSTRUCTIONS FOR AUDIO PARTICIPATION:  
JOIN THE MEETING BY TELEPHONE: [+1 \(571\) 317-3122](tel:+15713173122)

ACCESS CODE: **310-011-557**

- I. **Call to Order** Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Harwich Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen or view this meeting while in progress may do so by logging in or calling in as specified above on this agenda.
- II. **Public Meeting\***
  - A. Approval of Minutes
    - i. February 4, 2020 – Joint Meeting with Affordable Housing Committee
    - ii. February 13, 2020
  - B. Discussion and possible vote on Sisson Road – Presented by Laura Shufelt, Acting Director Community Assistance, Massachusetts Housing Partnership
    - i. Consideration for and process to crat Request for Proposals
    - ii. Creation of Development Strategy
  - C. Update Housing Coordinator contract – Presented by Don Howell, Chair
  - D. Discussion and possible vote on Housing Assistance Corporation request for Rental Assistance presented by David Quinn, Director of Housing Development
  - E. Discussion and possible vote to authorize the Chair to expend Trust funds to determine cost to move Holy Trinity Church and cost of home inspection –Presented by Don Howell, Chair
  - F. Member Reports
  - G. Housing Coordinator Report – Presented by Pelinda Deegan, Housing Coordinator
    - i. May 22<sup>nd</sup> Lower Cape Coronavirus Housing Response Meeting
    - ii. Lower Cape Rental Assistance Program Working Group
    - iii. February and March Monthly Reports
  - H. Agenda Building – June 2020
- III. **Other Business**
- IV. **Next Meeting Date**
- V. **Adjourn**

\*Per the Attorney General’s Office – Boards/Commissions may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following “New Business”.

Authorized Posting Officer:  
Charleen Greenhalgh

Posted by: \_\_\_\_\_  
Date:

Affordable Housing Trust  
Tuesday, February 4<sup>th</sup>, 2020 – 6:00 PM  
Library Room, Harwich Town Hall  
732 Main Street, Harwich  
**MINUTES**

**MEMBERS PRESENT:** Don Howell, Chair, Larry Brophy, Vice Chair, Brendan Lowney, Clerk and Judith Underwood.

**MEMBERS NOT PRESENT:** Joe Powers, Interim Town Administrator.

**OTHERS PRESENT:** Art Bodin, Joe McParland, Jr., Cindi Maule, Mary Maslowski  
Andrea Aldana, Community Development Partnership, Charleen Greenhalgh, Town Planner.

Meeting was called to order at 6:00 PM by Mr. Howell.

**Public Meeting**

The Affordable Housing Trust invited the Affordable Housing Committee to a joint meeting as required annually in the Trust's statute. Mr. Howell began a discussion regarding delineation of roles between the Affordable Housing Trust (AHT) and the Affordable Housing Committee (AHC). Mr. Howell provided an AHT update and emphasized the importance of reviewing the Housing Production Plan annually in addition to the need for an ongoing discussion between the AHC and the AHT. He sees an important advocacy role for the AHC. He recommended that the AHC also think about what the AHT role should be.

Mr. Bodin stated the AHC's desire for an enhanced role. Mr. Bodin presented document sourced from the Town of Orleans about how their housing committee and trust work together. Mr. Howell explained the history of how the AHC charge was developed. He continued to report on the community's housing need related to "little a", naturally occurring lower end market rate housing and "capital A", subsidized housing. Ms. Maule expressed challenges within the AHC's advisory role.

Ms. Greenhalgh pointed out examples of potential AHC activities such as identifying suitable land for development, increasing accessory dwelling unit production and revising multi-zoning bylaws. Ms. Underwood stated that as opportunities move forward, it is critical to work together with key stakeholders. Mr. MacParland found the Orleans guidelines very interesting and stated his frustration with the AHC not having any specific tasks to work on. Mr. Howell assured the AHC that moving forward, there will be more joint conversations.

There was a discussion regarding how Mr. Bodin advises his committee and what they have been working on. There was a consensus that it would be the Board of Selectmen providing policy advice to the AHC. Mr. Howell provided information on the Trust's current activities including the Action Plan and how the AHC would be involved. Ms. Maslowski mentioned the importance

of the revitalizing Harwich Center. A discussion ensued between the AHC and the AHT on housing, town center and how both groups can work together to meet housing needs.

**Other Business:**

None.

Meeting adjourned at 6:15 pm.

Affordable Housing Trust  
Thursday, February 13<sup>th</sup>, 2020 – 2:00 PM  
Donn B. Griffin Room, Harwich Town Hall  
732 Main Street, Harwich  
**MINUTES**

**MEMBERS PRESENT:** Chair, Don Howell, Vice Chair, Larry Brophy (remote participation), Clerk, Brendan Lowney, Judith Underwood,

**MEMBERS NOT PRESENT:**

**OTHERS PRESENT:** Housing Advocacy Program Manager, Community Development Partnership, Pelinda Deegan, Managing Director, JM Goldson Community + Planning, Jennifer Goldson, Planning Assistant, JM Goldson Community + Planning, Avery Wolfe, Mid-Cape Church Homes, Al Eaton, and Art Bodin, Chair of the Affordable Housing Committee.

Meeting was called to order at 2:04 PM by Mr. Howell.

**Public Comment & Announcements:**

None

**Approval of Minutes: January 17, 2020**

Mr. Brophy moved to approve the minutes. Mr. Lowney seconded, carried by a unanimous vote. (4-0-0)

**Housing 101 presentation by Jennifer Goldson, JM Goldson Community Preservation + Planning**

Mr. Howell mentioned that he took the consultants for a tour of the subsidized housing inventory (SHI) units around town.

Ms. Goldson and Ms. Wolfe presented a background information including details on a Housing Trust within the state and local affordable housing context. She continued to define and provide examples of Trusts across the state, specifically with what Trusts can do with trust funds. With regard to Trusts overseeing funds, Ms. Goldson stated as part of her presentation, Trusts act like bankers but can also initiate ideas including initiating the application process. The Trust members agreed that they would like to oversee funds as well as initiate the application process. Ms. Goldson provided examples of using Trust funds to create housing through new construction or reuse. Mr. Howell added that Harwich Ecumenical Council for Housing is involved with a few of the town's rehabilitation units. There was a discussion on how much it would cost to conduct a similar program to Eastham's Market Rate Conversion Program. Ms. Underwood asked if there was an outcome report from this program. Ms. Deegan indicated that she will do some research. Ms. Goldson explained that this was an expensive way to create and preserve a unit. Mr. Howell referred to Mr. Brophy and added that during the SHI tour, he noted that the

town is doing well with affordable home ownership versus rental units. He expressed the high need for rentals even though they are not favorable. Ms. Goldson continued her presentation on Trust funds. Mr. Howell and Mr. Brophy had a discussion on the possibility of adopting the inclusionary zoning bylaw to generate revenue for the Trust.

The Trust started a discussion on the Trust statute on rehabilitation with regard to the CPA legal statute of rehabilitate / restore criteria. Mr. Howell suggested contacting KP Law to clarify the legal statute of the Trust related to rehabilitation programs.

Ms. Wolfe collected relevant planning documents from the town and the Trust and presented that information. This packet included a map of environmental constraints for the parcels under the Trust's jurisdiction. There was a discussion about Earle Road with regard to who has jurisdiction and other possible options. Ms. Wolfe provided results from the short survey in which workforce, middle-class and rental housing were the most pressing housing needs.

Mr. Howell reported that he had a conversation with Laura Shufelt, Assistant Director of Community Assistance, MA Housing Partnership. They discussed the Trust's housing goals to address the community's needs relative to the financial feasibility of the project. Ms. Wolfe continued her presentation. She added that they will be conducting Visionary Interviews with the referred key stakeholders: Richard Waystack, Don Howell, Tom Peterson, and Cyndi Williams. The Focus Groups are slated to be at the end of March. Ms. Wolfe also recommended April for the Public Forum. Mr. Howell suggested that the Public Forum be pushed back after town meeting and all were in agreement. Ms. Goldson presented details on who should be involved in the Focus Groups such as members of the Finance Committee, the Board of Selectmen and the Finance Committee. Ms. Deegan passed out the draft of the Stakeholder List and a Coalition Building Ideas document that was intended to assist the Trust with identifying key stakeholders. Ms. Wolfe presented dates and logistic information for the Focus Groups. Mr. Howell emphasized the importance of having the Harwich Center Initiative and the Historic District and Historical Commission involvement with the Focus Groups in addition to potential opposing input. Ms. Goldson and Ms. Avery confirmed that no decisions will be made during the Focus Groups. This is a listening and discussion session which will inform the JM Goldson team on designing the Public Forum. Ms. Underwood suggested that women should be included in the Focus Groups and recommended Shirley Gomes and Sandy Hall. Mr. Howell agreed and thought four interviews may be small and prefers 6 individuals to interview. Mr. Lowney asked if abutters will be interviewed as part of the Focus Groups. Ms. Goldson stated that abutters will be invited to the Public Forum. Ms. Avery presented dates for the Trust members to confirm. Ms. Avery and Ms. Deegan will coordinate and identify dates.

With regards to the next month's meeting, Mr. Howell suggested the goal is to dedicate a meeting for JM Goldson and Laura Shufelt from MA Housing Partnership. There was a discussion on coordinating meeting dates for March and April.

Mr. Bodin, Chair of the Affordable Housing Committee commented that if the JM Goldson team wanted to get a sense of the town, he suggested viewing the Board of Selectmen and Planning Board meetings. Mr. Howell added the discussion is beyond housing affordability but also seeing potential disagreements with the town and ultimately what the town wants. Ms. Underwood

provided an example on a visionary planning process in New Hampshire which she stated was a helpful way to build public support.

#### **Action Plan discussion and possible vote**

There was no vote on the Action Plan.

#### **Discussion and possible vote regarding Sisson Road Request for Proposals and Junior Harwich Theater support email**

Mr. Howell briefed the Trust members on his conversation with Laura Shufelt, MA Housing Partnership. There was also a discussion on where the town is with Request for Proposals and other department projects. Mr. Howell also presented information on development criteria prior to a Request for Proposal. Mr. Howell also indicated that the Junior Harwich Theater provided a letter of support. He requested that the Trust think about design and other features such as parking, parking for the Farmer's Market and be ready to discuss at the next meeting. Mr. Brophy added solar and septic to consider and explore. Mr. Howell mentioned that they also need to weigh in on the composition of income eligibility.

#### **Discussion and possible vote to empower the Chair to expend Trust funds to determine cost to move Holy Trinity and cost of home inspection**

This item has been tabled to the May Meeting.

#### **Update on joint meeting of the Affordable Housing Trust and Affordable Housing Committee**

Mr. Howell reported on the joint meeting with the AHT and AHC, stating that it was very productive and there will more

#### **Member Updates**

Ms. Underwood reported that she had a meeting with MA Housing Development not related to the Trust in which she discussed Governor Baker's housing agenda on a new financial portfolio that towns may be required to use. She indicated that she will be contacting the Town Planner, Charleen Greenhalgh to discuss further.

Mr. Bodin indicated that his committee will draft up recommendations as well with regard to the development criteria. Mr. Howell stated that he should send the recommendations as soon as possible and submit to Ms. Deegan.

Mr. Lowney reported that there have been several inquiries with the Building Department for garage renovations indicating that Accessory Dwelling Units are in motion.

#### **Housing Coordinator Report**

Ms. Deegan reported that the Trust balance is \$868,355. This does not include the invoice from JM Goldson for the Action Plan as well as the Housing Coordinator contract from Community Development Partnership.

With regard to the monthly report, Ms. Deegan noted that this month was the highest engagement of citizen outreach.

**Other Business:**

Ms. Deegan presented information on a Winter Lower Cape Peer Group Meeting scheduled on March 5<sup>th</sup> at Brewster Town Hall.

**Next Meeting Date:**

March 19<sup>th</sup> at 2 pm

April 16<sup>th</sup> at 2 pm

Meeting adjourned at 3:42 pm.



# Harwich Affordable Housing Trust Meeting

May 21, 2020

## RFP Basics Sisson Rd. Property

Laura Shufelt

Acting Director of Community Assistance

MHP

[lshufelt@mhp.net](mailto:lshufelt@mhp.net)



## 265 Sisson Rd.

- 1.11 Acres
- Zoned Multifamily Residential – Low (MR-L)
- Part of Harwich Center Historical District
- No public sewer
- Existing theater/community building on site and asphalt parking area.





# CONCEPTUAL SEPTIC SYSTEM SIZING AND LAYOUT

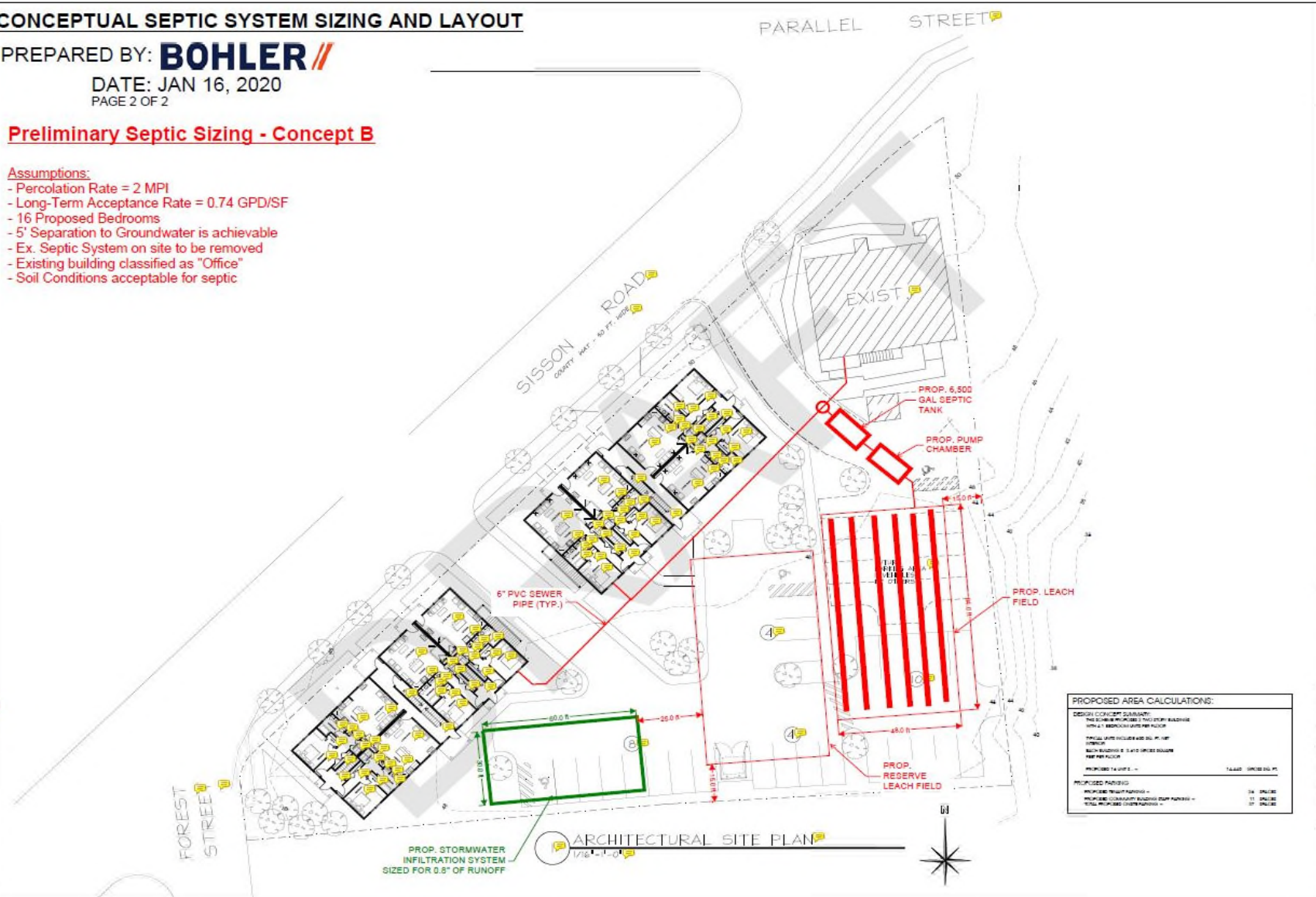
PREPARED BY: **BOHLER //**

DATE: JAN 16, 2020  
PAGE 2 OF 2

## Preliminary Septic Sizing - Concept B

**Assumptions:**

- Percolation Rate = 2 MPI
- Long-Term Acceptance Rate = 0.74 GPD/SF
- 16 Proposed Bedrooms
- 5' Separation to Groundwater is achievable
- Ex. Septic System on site to be removed
- Existing building classified as "Office"
- Soil Conditions acceptable for septic



PROPOSED AREA CALCULATIONS:	
DESIGN CONCEPT SUMMARY:	
THIS CONCEPT INCLUDES THE EXIST. BUILDING WITH 41 BEDROOMS QUARTERS PER FLOOR	
PROPOSED LEACH FIELD AND ALL PUMP CHAMBER	
NEW BUILDING & 3 LANE DRIVEWAY PER FLOOR	
PROPOSED 14 UNITS. -	
TOTAL GARAGE SQ. FT.	
PROPOSED PARKING:	
PROPOSED TRUCK PARKING =	24 UNITS
PROPOSED CONCRETE BUILDING CURB PARKING =	11 UNITS
TOTAL PROPOSED CURB PARKING =	35 UNITS

STAMP:

BROWN LINDQUIST FENLON & FABER ARCHITECTS, INC.  
300 WASHINGTON ST., 2ND FL.  
HARWICH, MA 01945  
PHONE: 508-880-0000  
FACSIMILE: 508-880-0000

PROPOSAL FOR:  
HOUSING ASSISTANCE CORPORATION  
TOWN OF HARWICH  
265 SISSON ROAD  
HARWICH, MA

TITLE:  
CONCEPTUAL ARCHITECTURAL SITE PLAN

DATE ISSUED: JULY 21, 2008

REVISIONS:

DRAWN BY: CLS

PROJECT #:

PROJECT NO.

DRAWING NO.: AS1.1



## Housing Production Plan, 2016

“Planning needs to also focus on strategies to retain and attract younger residents to the community by providing affordable housing in tandem with economic development measures.”

### Identified priority needs:

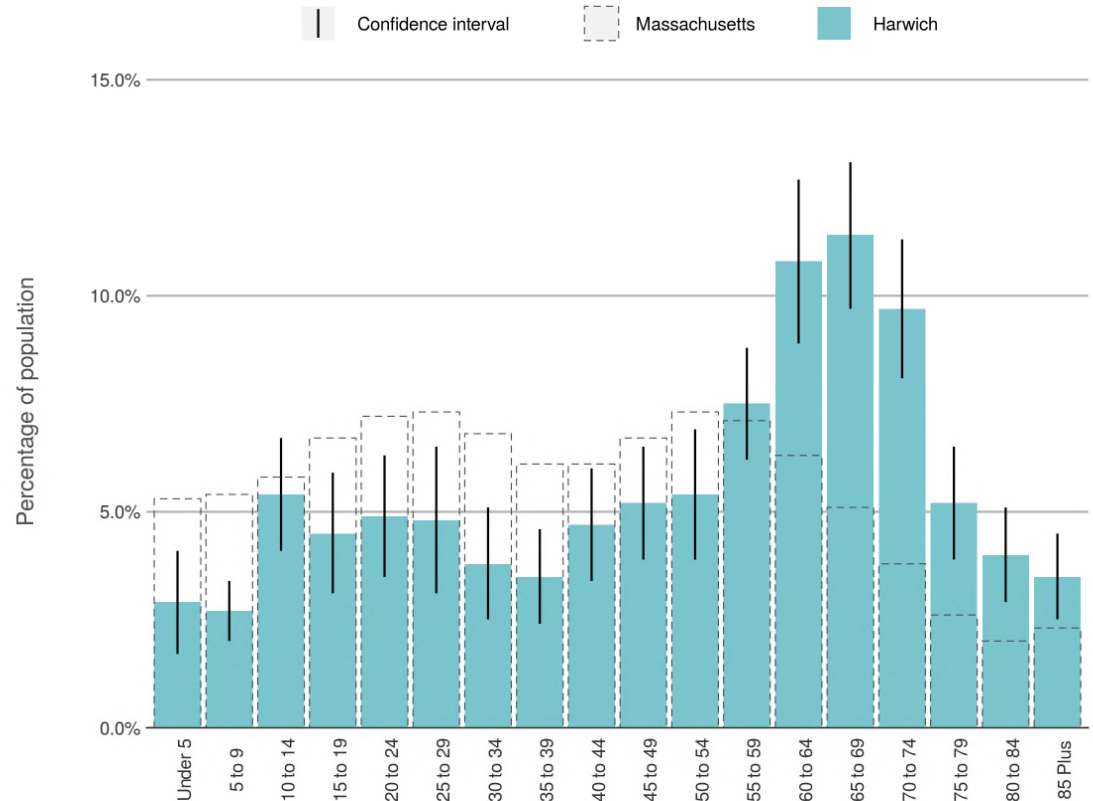
--**very low-income households: 43%** of all renters earning at or below 80% of area median income were spending **more than half** of their income on housing

--**create a wide range of affordable housing options** (homeownership/rental and a variety of incomes)

--**special needs housing** (existing housing stock old and does not accommodate certain needs)

--**improved housing conditions**

Age distribution of population  
Harwich v. State  
2014-2018 ACS

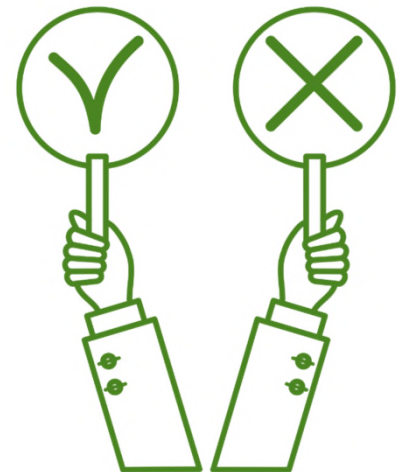


Source: U.S. Census Bureau: Decennial Census 1990-2010 & American Community Survey, 2014-2018 5-year estimates. Table S0101: Age and Sex



## Basic Principles of a RFP

- Understand the feasibility of the property
- Comply with 30B Procurement guidelines and requirements
- Be clear and realistic about your goals



## Design the RFP to...

- State your goals clearly
- Provide enough information to elicit thoughtful proposals
- Have the right submission requirements to provide a basis for evaluation
- Design the evaluation criteria to match the best proposal to your goals



## Disposition of Public Land

### What are some factors that would require public construction compliance?

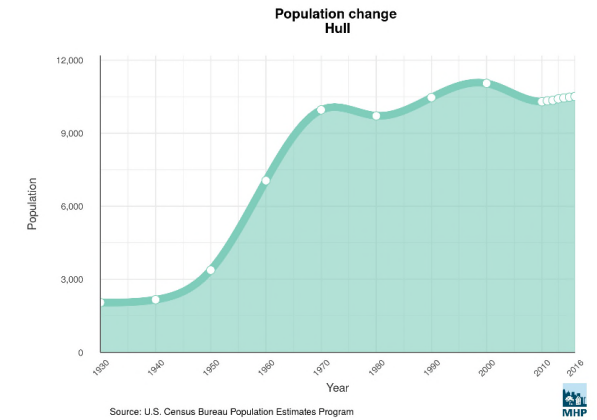
- Public entity controls construction or management
- Specific design is mandated



# Step 1

## Develop goals

- Use demographic information to determine Priority housing need
- Determine other goals through community outreach and known site issues





## Step 2

### Initial Feasibility Assessment

- Gather available site information
  - Survey
  - Wetlands delineation
  - Septic options
- Analyze financial feasibility against the goals proposed for target population and density



## Step 3

### Develop your program based on preliminary analysis and your goals.

- Rental vs. Homeownership
- Number, composition of units
- Design guidelines
- Amenities
- Access
- Energy Efficiency



# Step 4

## Get buy-in from stakeholders

- Public meetings
- Neighborhood meeting
- Public officials
- Public Forum



# Step 6

## Develop the Evaluation Criteria for use in selecting a Developer

- Capacity of the Development team
- Quality of the design approach
- Responsiveness of the proposal
- Affordability
- Financial feasibility
- Energy Efficiency

**ATTACHMENT A**  
Comparative Evaluation Criteria: Lawrence Road, Wellfleet

	Unacceptable	Advantageous	Highly Advantageous
<b>Developer Experience &amp; Capacity (Team)</b> <ul style="list-style-type: none"> <li>• Demonstrated experience in and capability for designing, permitting, developing and managing similar residential projects.</li> <li>• Outcome of comparable projects</li> <li>• Experience with site septic system issues</li> <li>• Property management experience with similar projects</li> <li>• The quality of the team's reputation and references, particularly in terms of its regulatory track record and ability to complete projects as proposed</li> <li>• Success in marketing approach, including affirmative fair housing marketing plans and lottery, meeting State requirements</li> <li>• Property management experience with similar projects</li> </ul>	Development team members have only minimal experience in the development of projects with similar scope – including legal, design, development, financing, and management experience with rental housing.	Development team Members have significant experience in the development of projects of similar scope – including legal, design, financing, affordable housing management. Significant experience (2 or more projects) private septic. Energy efficient buildings part of standard approach.	Development team Members have significant experience in the development of projects of similar scope – including legal, design, financing, affordable housing management. Extensive experience (4 or more projects) with private septic. Energy efficient design is their standard approach to design and development.
<b>Affordability</b> Proposal meets a range of incomes. At a minimum 25% units must be restricted to households at or below 80% AMI	Less than 25% affordable to 80% AMI.	25% affordable to 80% AMI with some targeted at or below 50%.	25% affordable to 80% AMI with units ranging from 30% to 120% AMI.
<b>Site Design</b> <ul style="list-style-type: none"> <li>• Thoughtful and efficient site design</li> <li>• Uses standards of low impact development</li> <li>• Septic system design under ballfield</li> <li>• Underground utilities</li> <li>• Exterior lighting – minimal impact to neighbors</li> <li>• Stormwater management</li> <li>• Landscape plan including parking area</li> <li>• Area designated for snow</li> <li>• Adequate parking</li> <li>• Two access points on Lawrence Road</li> <li>• Natural buffer from surrounding residential neighbors</li> <li>• Uses the site fully while still maintaining natural buffers to abutters.</li> </ul>	Proposal fails to meet RFP requirements.	The proposal meets some or all site design requirements of the RFP with thoughtful building siting, septic placement, and natural buffers to surrounding neighborhoods.	Proposal meets all requirements and respects adjacent properties.



# Step 5

## Assemble RFP Material

- Site information, including locus, topographical maps, zoning maps, legal description, utility information
- Pictures of the site
- Disclose any known barriers to development – wetlands, easements, endangered species



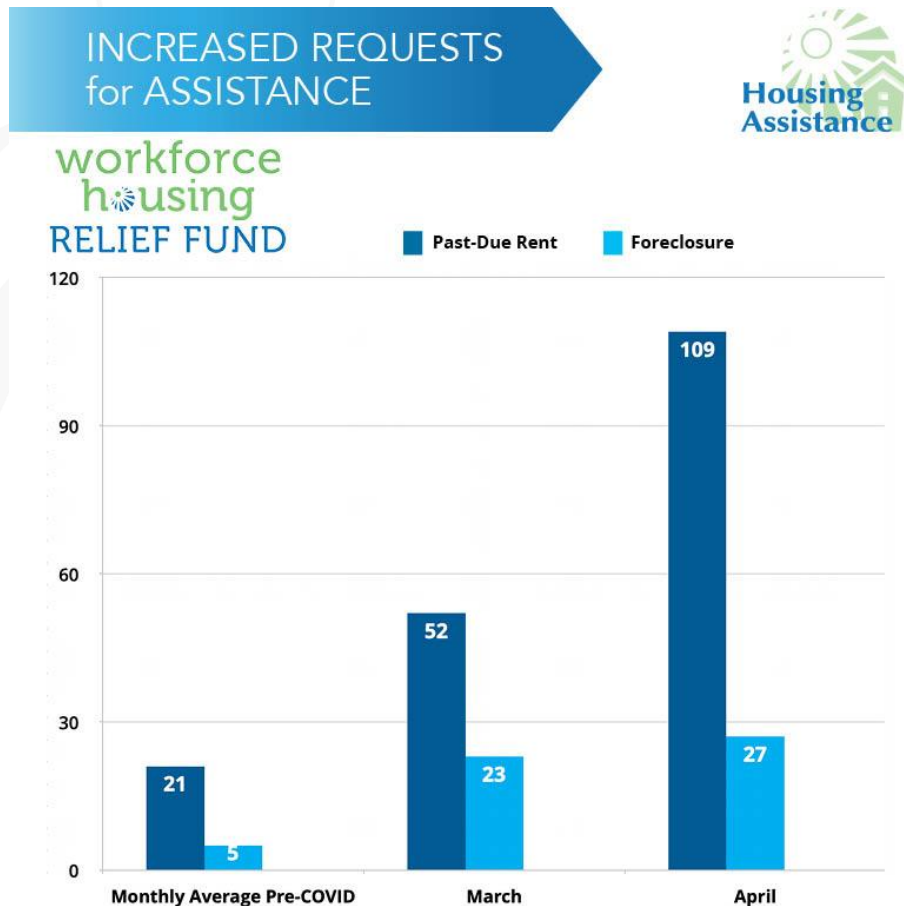


## Overview of HAC's Workforce Housing Relief Fund

The Workforce Housing Relief Fund provides financial assistance for local workers who fall outside the limited eligibility guidelines of governmental programs, but still need help staying housed. Even before the COVID-19 health crisis, our workforce faced a housing crisis - a lack of housing options that are affordable for the wages people earn on Cape Cod and the Islands. Housing Assistance's trained intake counselors work with hundreds of people each month asking for help and those numbers are climbing due to the pandemic. We ensure that clients take advantage of every available financial relief resource that is available from their lenders, the state and federal government before applying for money from this Fund.

### Regional Need:

Since the emergence of the COVID-19 health crisis, we have seen a significant increase in the number of requests for emergency financial assistance.



Our intake office tracks all requests in order to accurately understand our region's needs from month to month. We are anticipating a large increase in request as this crisis continues into May and June and people have expended their savings, stimulus checks, and government unemployment benefits end.

#### Funds raised to date:

As of April 28, we've raised \$700,500 of a \$1.5 Million goal for the Workforce Housing Relief Fund. These funds will enable us to support more than 300 families over several months as their households and the community recovers. Funding comes from towns and foundations, as well as individual donors. 100% of donations from individuals is passed through directly to make housing payments for our neighbors.

#### HAC's experience and expertise in administrating a rental assistance and/or mortgage assistance program.

Housing Assistance has a strong track record of effectively managing homelessness prevention funding programs through federal, state and local contracts. Our annual homeless prevention program and state RAFT program supports more than 489 households by managing over \$670,000 of payments to either move into housing or keep housing that is in jeopardy due to a crisis. The Workforce Housing Relief Program will be managed very similarly to the state RAFT program, however unlike RAFT, it will be available to people making under 100% AMI (or at AMI% set by Town funding source). We have intake counselors that verify a person's income and their housing crisis. Once a client is approved for funding, we pay the landlord or the bank directly, so it is certain funds are used as intended. Housing Assistance is the regional administrator for many state and federal housing assistance programs, so we can ensure that people in crisis are channeled to appropriate additional sources of support.

#### Process used to determine a household's eligibility:

The following process is followed to determine eligibility for rental assistance funds.

1. Client application submitted to intake. One of the counselors reviews packet to ensure it is complete with all documents. Clients must have applied for all other federal, state and local unemployment and housing relief programs and still have a need for housing assistance before applying to this fund.
2. Application packet goes to the housing counselor assigned to this program, who schedules a client appointment. During the appointment a screen is completed, a housing plan is completed, data tracking information is recorded. Owner and client contracts are obtained pending final funds approvals.
3. On the 1st and 3rd Monday of each Month, the housing counselor and HAC's COO meet to review completed applications and approve/deny applications based on need, funding availability, and the client's screen score.



We prioritize recipients of the fund based on the following criteria and any other criteria the Town would like to add to ensure funding goes to the most at-risk clients.

- Verification methods includes copy of lease or rental agreement.
- Verify their income is between under 100% Area Median Income (or income range selected by Town, which may depend on funding source restrictions). Those at 50% and below AMI are eligible for other housing programs.
- Demonstrate a loss of income or increase in expenses
- Be at risk for homelessness or displacement. Meet other optional town "at-risk" criteria such as mandatory financial obligation to income ratio and plan for sustainability. Determined based on Town needs/requests.

Administrative fees for town funds.

With current participating towns, HAC has requested a 15% administrative fee to covers a Housing Counselor for 20 hours per week for six months, plus COO and Director of Family and Individual Services bi-weekly oversight of client award decisions. The state RAFT contract with DHCD allows an administration rate 18.95%. We are leveraging the RAFT framework to keep costs down for the town.







community development partnership

## February 2020 Monthly Report Town of Harwich

### 1. Office Hours

- a. Held weekly office hours on Thursdays, 8:30 am – 4:00 pm: February 6th, February 13<sup>th</sup>, February 20<sup>th</sup> and February 27<sup>th</sup>
- b. Bi-weekly meetings with Trust Chair, Don Howell: 2/11/20 and 2/28/20 by phone.

### 2. Provide support to Town housing-related committees as directed by Town Administration

- a. Provide staff support to Affordable Housing Trust (AHT)
  - 2/4/20: attended AHT and Affordable Housing Committee joint meeting and provided minutes for the AHT.
  - 2/7/20: Ongoing correspondence with Avery Wolfe, JM Goldson Preservation + Planning, regarding the Trust's Action Plan and planning for the next Trust meeting.
  - 2/7/20: AHT and Affordable Housing Committee joint meeting debrief with Avery Wolfe. Prepared for AHT meeting by completing Action Plan tasks:
    - Coordinated with AHT members and Avery Wolfe on a draft of the Stakeholder List. The Stakeholder List will be used by the consultant to conduct a community engagement plan including Visionary Interviews, Focus Groups and a Public Forum.
    - Check-in with Don Howell regarding a process to acquire Trust balances.
    - Prepared meeting packet for February AHT meeting.
  - 2/13/20: Staffed AHT meeting and began draft of meeting minutes.
  - 2/19/20: Action Plan follow-up tasks:
    - Sent Trust members reminder emails on finalizing a Stakeholder List.
    - Researched Eastham Rental Unit Conversion Program.
  - 2/27/20: Completed draft of March agenda and February minutes for review.

b. Pre-development tasks

- 2/10/20 and 2/19/20: Ongoing correspondence with Laura Shufelt, Massachusetts Housing Partnership, on Sisson Road and Request for Proposals discussion.

**3. Monitor existing units on Town's Subsidized Housing Inventory (SHI)**

- 2/13/20: Ongoing correspondence with Al Eaton, Board of Director, Mid Cape Church Homes regarding renewal contract for Pine Oaks Village II.

**4. Building relationships and gathering information**

- 2/19/20: Contacted Paul Lagg, Eastham Town Planner, to get information on Eastham's Rental Unit Conversion Program.

**5. Community Outreach & Response**

- 2/6/20: Meeting with Harwich resident.



community development partnership

## **Town of Harwich**

### **March 2020 Monthly Report**

#### **1. Office Hours**

- a. Held office hours on March 5<sup>th</sup> and 12<sup>th</sup>, 8:30 am – 4:00 pm. Office hours paused on March 13<sup>th</sup> due to the COVID-19 pandemic.
- b. Bi-weekly meetings with Trust Chair: March 17<sup>th</sup>, 24<sup>th</sup> and 31<sup>st</sup> by phone.

#### **2. Provide support to Town housing-related committees as directed by Town Administration**

- a. Provide staff support to Affordable Housing Trust (AHT)
  - 3/5/20: Completed AHT and Affordable Housing Committee (AHC) joint meeting minutes, April meeting agenda, March meeting minutes and February monthly report. Coordinated with Trust members and consultants regarding scheduling presentations for April and May AHT meetings.
  - 3/6/20: Ongoing correspondence with Avery Wolfe, JM Goldson Preservation + Planning, regarding the Action Plan and planning for the next Trust meeting. Coordinated with Avery Wolfe to plan and secure venue for the AHT Public Forum event. Assisted Avery Wolfe with Focus Group follow up tasks:
    - sent Background Chapter and maps generated by JM Goldson to Trust members.
    - clarified Trust's financials.
    - collected Depot Street / Depot Road information.
    - collected Community Preservation Committee planning documents.
  - 3/17/20: Conference call with JM Goldson team and Don Howell regarding Action Plan and moving forward during COVID-19 pandemic.
  - 3/24/20: Conference call with JM Goldson team and Don Howell to discuss Visionary Interviews. Collected SHI unit addresses for Avery Wolfe
- b. Pre-development tasks
  - 3/6/20: Ongoing correspondence with Laura Shufelt, Massachusetts Housing Partnership, on Sisson Road and Request for Proposals discussion.

#### **3. Monitor existing units on Town's Subsidized Housing Inventory (SHI)**

- 3/31/20: Ongoing correspondence with Al Eaton, Mid Cape Church Homes, regarding renewal contract for Pine Oaks Village II.

**4. Building relationships and gathering information**

- 3/31/20: Correspondence with Art Bodin, Affordable Housing Committee.

**5. Community Outreach & Response**

- 3/24/20: Viewed Board of Selectmen meeting.
- 3/31/20: Correspondence with Emily Mitchell, Council on Aging Director.



community development partnership

## **Town of Harwich**

### **April 2020 Monthly Report**

#### **1. Virtual Office Hours**

- a. Held virtual office hours on April 2nd, April 9<sup>th</sup>, April 16<sup>th</sup>, April 23<sup>rd</sup> and April 30<sup>th</sup> at 8:30 am – 4:00 pm.
- b. Bi-weekly virtual meetings with Trust Chair as needed: April 7<sup>th</sup> 24<sup>th</sup> and 23<sup>rd</sup>.

#### **2. Provide support to Town housing-related committees as directed by Town Administration**

- a. Provide staff support to Affordable Housing Trust(AHT)
  - 4/6/20: Completed draft of Virtual Office Hours flyer for review.
  - 4/7/20: Correspondence with JM Goldson team regarding Action Plan and next steps.
  - 4/10/20: Submitted Virtual Office flyer to the Trust Chair for review and posted on the AHT Facebook page.
  - 4/13/20: Submitted Trust Vice Chair's member report: article about affordable housing in Boston.
  - 4/23/20: Conference call with Trust Chair regarding moving forward on the Action Plan during COVID-19 pandemic and scheduling the next Trust meeting.
    - Conducted follow-up tasks in preparation of the Trust meeting scheduled on May 21<sup>st</sup>: correspondence with Joe Powers, Acting Town Administrator and Town Clerk Office to coordinate meeting logistics.
    - Correspondence with Town Planner regarding agenda and Harwich meeting policy.
    - Sent a calendar invitation to the Trust for the May 21<sup>st</sup> meeting.
- b. Pre-development tasks
  - 4/14/20: Ongoing correspondence with Katie Bosse, Program Coordinator, Massachusetts Housing Partnership (MHP), on moving forward with Sisson Road and Request for Proposals discussion.
  - 4/23/20: Correspondence with Laura Shufelt, Acting Director of Community Assistance, MHP, regarding moving forward with the Request for Proposal and design components.

**3. Monitor existing units on Town's Subsidized Housing Inventory (SHI)**

- 4/7/20: Research on expiration dates on town's SHI (all units).
- 4/13/20: Emailed Al Eaton, Board of Director, Mid Cape Church Homes regarding renewal contract for Pine Oaks Village II.

**4. Building relationships and gathering information**

- 4/10/20: Call with Tracy Cannon, Harwich Housing Authority to discuss rental assistance trends with Harwich residents.

**5. Community Outreach & Response**

**Boston**

CITY LIFE

RESTAURANTS

WELLNESS

LIFE & STYLE

WEDDINGS

HOME & PROPERTY

THINGS TO DO

TRAVEL

BEST OF BOSTON



Follow

# CITY LIFE

Subscribe  
MAGAZINE • NEWSLETTERS

Today's Refinance Rate

# 2.60%

APR

Calculate Payment

Terms & Conditions apply. NMLS#1136

15-Year Fixed

2.50%

2.60% APR

30-Year Fixed

2.75%

2.91% APR

5/1 ARM

3.00%

3.21% APR

\$225,000 (5/1 ARM)

\$949/mo

3.21% APR

\$350,000 (5/1 ARM)

\$1,499/mo

3.17% APR

POLICY

## The BPDA: Paved and Confused

Snarled traffic. Sky-high rents. And entire neighborhoods that soon may be underwater. Our city planners have steamrolled over communities and failed to build a city that is livable for us all. Is there still a chance to get it right?

by **RACHEL SLADE** • 4/10/2020, 3:32 p.m.

Get a compelling long read and must-have lifestyle tips in your inbox every Sunday morning — great with coffee!

EMAIL ADDRESS  SUBSCRIBE

### TRENDING

- 1 Joe Kennedy III Wants You to Know He's More Than Just a Name
- 2 Now That We're All at Home, These Boston Businesses Are Stepping Up to the Challenge
- 3 Boston's Gala Season That Never Was
- 4 What It's Like to Be a Massachusetts Contact Tracer
- 5 What It's Like to Provide the Anointing of the Sick for COVID Patients
- 6 Eleven Urban Oddities to Discover on Your Next Walk Around Boston
- 7 Should Parents Be Freaking Out About a New COVID Syndrome Found in Kids?



**L**ike a scene out of *The Departed*, a pinched old white man in a black jacket leans across the passenger seat of a car to collect a fan of fresh \$100 bills from the driver. It's such a blatant setup. There's no envelope. The Benjamins are in full view. The whole choreography of the handoff seems designed to get him in front of a dash cam—instead of a quick drop through the driver's window, the briber forces the man to reach into the car, his pink face nicely centered in the



frame. But John Lynch, the assistant director of real estate at the Boston Planning & Development Agency, doesn't notice. He is wholly focused on taking what's his, lips drawn in a taut smile, the crisp new bills within his grasp. In fact, if you look closely at the surveillance photo, he seems relaxed—at ease, even, like he's done this before.

Across Boston, critics of the city's billion-dollar real estate bonanza viewed that single 2018 photo of a bribe given and received as indisputable proof that the city still runs by J.M. Curley-style rules. But for those who know how city planning happens here, it was merely the tip of an iceberg of troubles at the BPDA, arguably Boston's most powerful agency.

Whether or not cash is changing hands, Bostonians should be outraged at how the BPDA functions—or doesn't. If you think, for instance, that Boston is unaffordable, mired in traffic, and chronically unprepared for climate change, you can mostly blame the BPDA. The city's entire development process, from zoning to planning to project approval, is controlled by this single agency on the ninth floor of City Hall. In fact, it holds a concentration of power not seen in any other American city, shaping every square inch of our town, yet it is not accountable to the elected members of the city council. Its operations, meanwhile, are plagued by shortsightedness, ineptitude, and misplaced priorities.

This is nothing new. In fact, seven years ago I argued in this magazine that the BPDA (then known as the Boston Redevelopment Authority) had a mission that was so riddled with conflicts of interest that it should be abolished. So why am I at it again? Because despite Mayor Marty Walsh's promises to reform the agency after audits in 2014 and 2015 revealed that it was a hot mess, not much has changed on the ninth floor since he took office. Worse still, this agency has overseen a larger building boom since 2014 than has ever occurred in a six-year period in Boston since the city was founded in 1630. Over the past decade, the city's planning agency has systematically squandered a once-in-a-lifetime opportunity to steer well-planned, equitable, and climate-change-ready growth, and has instead focused on a single goal: approving as many projects as quickly as possible.

This build-more, build-fast mindset has had grave consequences. Thousands of high-margin luxury condos have been approved and completed, many of which, bought by entities hidden behind LLCs and shell corporations, sit in unoccupied splendor while driving up the region's real estate values and costs. The BPDA's failure to plan, and its deep faith in market forces, has helped balloon the cost of living to the breaking point because everything—from food to payrolls to services—is in one way or another linked to our inflated housing prices. Thousands of Bostonians have been displaced through eviction or aggressive rent increases, and middle-class families are getting pushed farther and farther out of the city, in some cases all the way to New Hampshire. "The agency has lost the trust of the community to carry out the planning process with competence and integrity," wrote City Councilor at Large Michelle Wu in a recent report demanding the BPDA's abolition.

Never before has the need to break up the BPDA been more urgent. Right now, the agency is poised to approve the largest private development in its history—millions of square feet at the former Suffolk Downs racetrack. The agency has barreled ahead as if this were just another downtown office tower, aligning with the developer at the expense of the community, and repeating every unforced error that got us to where we are today. Unless

CITY RESTAURANTS WELLNESS LIFE & STYLE WEDDINGS HOME & PROPERTY THINGS TO DO TRAVEL BEST OF BOSTON Today's Refinance Rate 2.60% APR 15 Year Fixed Select Loan Amount \$225,000 Calculate Payment Terms & Conditions apply. NMLS#1136





the BPDA is abolished before the project breaks ground, Boston will likely lose its last big chance to do development right.

**Boston**

CITY

RESTAURANTS

WELLNESS

LIFE & STYLE

WEDDINGS

HOME & PROPERTY

THINGS TO DO

TRAVEL

BEST OF BOSTON



The BPDA's John Lynch (left) leaves federal court in Boston with his lawyer after pleading guilty to accepting a \$50,000 bribe, allegedly from a real estate developer. / Photo courtesy of the Boston Globe via Getty Images



Cranes in full swing over the foundation of 115 Winthrop Square. / Photo courtesy of the Boston Globe via Getty Images

**The BPDA announced its arrival in Boston 63 years ago with the roar of an army of bulldozers.** Founded to funnel federal money toward urban renewal efforts, the agency, known back then as the Boston Redevelopment Authority (BRA), evicted thousands of minority and immigrant families and razed neighborhoods, including the West End, to make way for office buildings and luxury high-rises.

A seemingly minor tweak in 1987 created the all-powerful BPDA we have today. That year, Mayor Ray Flynn removed the agency from the city budget, arguing it could sustain itself financially using the fees it collects from real estate developers. After that, the agency no longer had to answer to the city council, and ever since then, it has been servile not only to the whims of the mayor, but to the people who keep its lights on: developers.

Walsh's predecessor, Tom Menino, used the freshly off-the-books agency as the base of his power. To Menino, everything was personal; he made sure that all development decisions went through him, rendering the BRA as little more than a rubber-stamping agency where he could park his political supporters who needed jobs. Not much got built under Menino, but everything that did had his fingerprints all over it.



Walsh ran for mayor in 2013 as a BRA reformer. As a former trade union leader, he also wanted to keep those cranes busy. Once in office, he commissioned an audit that revealed the agency was in shambles. Few staffers, it showed, had any idea what their actual duties were. Records were so shoddy that the BRA didn't even know what land it owned or what fees and rents were due. Consequently, the city may have failed to collect millions of dollars on leases and linkage fees from developers to fund affordable housing.

Despite grand promises made in the heat of the mayoral campaign, as well as a \$675,000 rebranding initiative that included a name change from the BRA to the BPDA, Walsh has done little more than replace the drapes and repaint the house. On the positive side, BPDA head Brian Golden says that 60 percent of staff members are new, and the planning department has grown from 32 to more than 54 employees. He's hired some multilingual staffers, and employees are learning how to work within Boston's many different communities. The agency's overhauled website is easy to navigate and loaded with helpful documents available to the public. The press office is very responsive.

Still, the BPDA's most problematic features—that it's beyond city council control and was designed to be developer-responsive rather than planning-oriented—remain locked in place. Most egregiously, unlike many other major American cities—which have laws mandating implementation of a master plan—Boston hasn't drawn one up since 1965. By law, Philadelphia, Seattle, San Francisco, and Vancouver systematically update their master plans and have clear protocols for incorporating those plans into urban development. In California, *by law*, master-plan updates must be codified into zoning. The city of Boston doesn't have a master plan because the BPDA isn't designed to do that kind of work, and also, possibly, because it would undercut the BPDA's power. According to BPDA director Golden, Mayor Walsh's Imagine Boston 2030 initiative—which provides a roadmap for 21st-century growth—is the city's master plan. Still, the plan lacks teeth because the BPDA has neither the mandate nor the protocols to make it anything more than a wish list.

The BPDA says “nearly one-third of the city's land is covered either by active or relatively recent planning efforts.” Indeed, the agency's staffers have conducted community-based “planning” sessions in nearly every neighborhood over the decades. But when a developer brings a project proposal to the ninth floor, there's no formal mechanism for incorporating what was learned in those planning sessions into the approval process. There are no standardized metrics board members can use to evaluate a project's value or impact. Instead, the BPDA merely serves as an adviser to the developer, escorting a project through the process while keeping an eye on the clock.

The fact that the agency is partly funded by developers is the fundamental problem, says City Councilor Lydia Edwards. “You shouldn't be incentivized to develop because your paycheck depends on it,” she says. “You should be incentivized to develop because the city, and the future, and equity depend on it.”

Supporters of the BPDA say Boston's vocal communities—labeled as NIMBYs—are the single biggest obstacle to progress in the city and that we need an all-powerful planning agency because it is the only way to get anything done in the face of their opposition. In fact, I would argue the

CITY RESTAURANTS WELLNESS LIFE & STYLE WEDDINGS HOME & PROPERTY THINGS TO DO TRAVEL BEST OF BOSTON



By the time a development team arrives in a neighborhood, the BPDA already has skin in the game. The agency’s staff has spent considerable time working with the developer to prep for community meetings, and during this period, the BPDA’s and developer’s interests often align. Armed with inside knowledge, legal expertise, and the mayor’s backing, they make a formidable team. Once the public process begins, communities don’t have much time to react and often feel blindsided by the proposals. They have to scramble to understand their rights, determine what negotiating power they have, and figure out which tools they can use to steer the impact of a project. Lacking the background and unity to negotiate concessions with a powerful developer and the BPDA, many communities resort to outright opposition.

They have good reason to be wary, given that any amenities won by neighbors have historically had a bad habit of disappearing once a project is approved. Case in point: When Millennium Partners bid for the privilege of building 115 Winthrop Square, a \$1.3 billion multi-use tower now going up downtown, the developer promised Bostonians a three-story “Great Hall”—a glorious, multifunctional civic space sold as “Boston’s living room,” as well as a space for startups that would be as large as 8,000 square feet. Just three years into the complex process of approving such a large project, Millennium submitted its “notice of project change.” Among the revisions, 100,000 gross square feet of residential space had evaporated. The initial 500 housing unit count had shrunk to 387. Gone were about seven affordable units. Public conference space seemed to disappear. Two grand staircases designed to elevate the look of the Great Hall were obscured by walls. Boston’s living room became a hallway. The startup space was no longer mentioned.

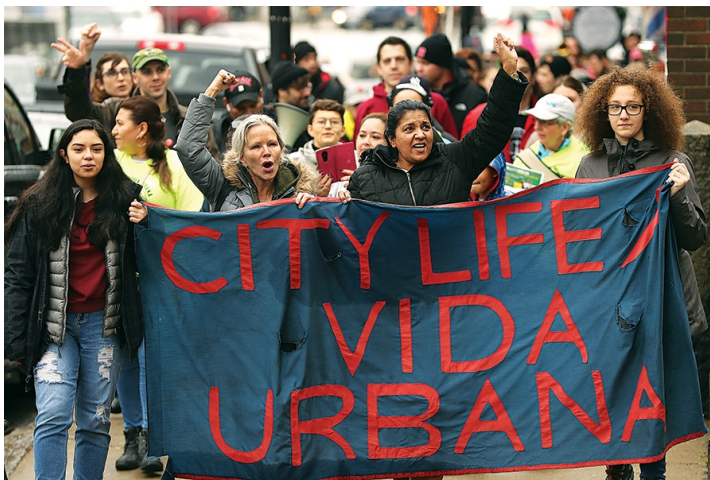
Even the Boston Civic Design Commission (BCDC)—a voluntary board run by some of the city’s finest architects that has the ability to review all large projects in Boston—lacks any statutory power to rein in poorly designed, unwieldy development. As a result, it has scored only a very few small victories in the way of improving projects.

There’s a better way: Plan for growth in a neighborhood *before* the developer arrives on the scene. Then incorporate that arduous community work into law by updating zoning. Establish which amenities the neighborhood needs and tie those projects to land use. Break planning out of the BPDA and fund it with city money so that it’s accountable to voters. It’s how America’s finest cities handle demand and growth. Why does Boston deserve anything less?





A bird's-eye view of construction in the Seaport District. / Photo courtesy of the Boston Globe via Getty Images



Activists protest to demand that developers make half of the units at Suffolk Downs affordable housing. / Photo courtesy of the Boston Globe via Getty Images

**When Steven Turner** allegedly handed all of that cash to Lynch, he owned a one-story South Boston warehouse on a 10th of an acre. Turner knew he could make a pile of dough if he could get a permit extension allowing construction of multifamily housing on that site. So, in exchange for \$50,000, Lynch agreed to convince a Boston zoning board member to extend the permit to redevelop the property. Once he secured it, Turner sold the warehouse for a \$1.6 million profit in 2018 without developing it. The cost for Turner's gains will get passed along to condo buyers to the tune of an additional \$146,000 per unit. (Turner has not been charged with any wrongdoing.)

Lynch wasn't the only guy looking to use zoning adjustments to turn a buck. Over the past 15 years, small-time developers have fanned out around South Boston, knocking on doors, offering longtime homeowners loads of money for their triple-deckers. One by one, families have been selling off their homes for huge profits and moving out.

Some developers, like Turner, received permission to build higher than existing zoning allowed. Others did not. That's why South Boston's zoning map now looks like a crazy quilt. Single-family and multifamily homes, apartments and condos, and industrial, mixed-use, and institutional buildings are jammed together side by side—the result of hundreds of individual petitions approved by the Zoning Board of Appeal (ZBA).



Perhaps all of this side-dealing would be acceptable if Boston were truly booming. In fact, the city is being crushed under the weight of poorly regulated development geared to enrich a few at the expense of the many.

Based on current stats, more than 34,000 households are cost-burdened, meaning that out of every dollar they earn, 50 cents goes to rent or the mortgage. Subtract taxes, and there's not much left for food. Over the past decade, the number of homeless families in Greater Boston has increased by 27 percent and the number of homeless individuals by 45 percent. A 2020 report by the Metropolitan Area Planning Council revealed that the majority of large units in Greater Boston are occupied by roommates (who can pool resources) or a handful of retirees rattling around in big apartments—not families.

Walsh says he's concerned, but the one thing he hasn't been able to confront is Boston's development machine. And because the mayor would like to have his development and eat it, too, he's demanding that the BPDA solve Boston's housing crisis the only way it knows how: by building more.

In the six years that Walsh has been mayor, 18,607 residential units have been built around the city. Sounds good, until you consider that most of them are small and expensive. Notably, more than half of these units are in luxury or ultra-luxury buildings, many of them in the South Boston Waterfront neighborhood. Records show that only a slim majority of all new units built since 2012 are owned by people who claim them as their primary residences. Many were bought by LLCs or shell corporations as a way to park wealth or launder money.

Of course, solving the housing crisis isn't merely about simple math, and yet the BPDA is still chasing numbers, furiously approving every proposal that comes its way to reach a quota—the mayor wants 53,000 new units built by 2030—without much consideration given to equity. When I met with Councilor Edwards, I repeated the administration's argument that more housing will eventually satisfy demand.

"Where?" she asked me. When I laughed, she said, "No, I'm serious. Where has that happened? You show me where building a bunch of luxury studios helped house working-class families. You show me where it happened, and I'll shut up."

The BPDA argues that we *can* build our way out of the crisis because when developers need variances (and nearly every project requires a variance because the city's zoning is so outdated), they must either build affordable units into their projects or pay so-called linkage fees that go into a fund for affordable-housing construction. For example, Jonathan Greeley, BPDA's director of development review, defends Seaport Square—a huge South Boston Waterfront project—by pointing out that in return for approval, "We got significant investments in...affordable housing, significant investments in the arts, a whole bunch of different things."

The BPDA's build-more-to-get-more-affordable-housing argument might make sense at first blush. Over the past decade, developers incorporated 2,983 affordable units into their market-rate projects (though the definition of affordable is up for debate). Other developers paid the one-time fee instead, contributing \$93 million to the city's housing fund. But when you crunch the numbers, you'll see that \$93 million doesn't buy much in Boston. Over that same decade, federal, state, and city governments have spent an additional \$2 billion in Boston to finance

---

[CITY](#)
[RESTAURANTS](#)
[WELLNESS](#)
[LIFE & CIVIL](#)
[WEDDINGS](#)
[HOME & PROPERTY](#)
[THINGS TO DO](#)
[TRAVEL](#)
[BEST OF BOSTON](#)

---



5,286 new affordable units and refurbish existing ones, which cost the city an average of \$492,000 a pop.

**Boston**

CITY

RESTAURANTS

WELLNESS

LIFE & STYLE

WEDDINGS

HOME & PROPERTY

THINGS TO DO

TRAVEL

BEST OF BOSTON



Based on these figures, it's clearly more economical for the city to have developers fold affordable housing into new developments or just build for the mid-market than to conjure such housing from scratch via linkage fees. (The latter also further segregates the city, building by building, neighborhood by neighborhood.) For example, if real estate developer Millennium had made 15 percent of its massive new downtown tower affordable, it would have created 66 units. Instead, the developer paid \$1.9 million to the city, a sum that, without state and federal subsidies, will cover the cost of only four such units.

Regardless of how affordable units get built, there are consequences to pursuing luxury housing in formerly middle-class neighborhoods. Rampant speculation. Evictions. Aggressive pricing out. Joseph Michalakes, a housing attorney at Greater Boston Legal Services, has worked for several years defending hundreds of families from eviction in East Boston, one of the most recent battlegrounds of development and displacement. Michalakes argues that if projects in Boston continue to be approved "without bringing a fair housing perspective to the planning process, then what we've seen happen in East Boston over the past five years, and really longer, is going to keep happening until there's nowhere left."

He knows the market-oriented response to people getting priced out: If you can't afford Boston, then move someplace cheaper. But, he says, "Where is that place? Where are people going to live? People who don't have a car and make between \$20,000 and \$50,000 a year, where are they going to go?"



Tom O'Brien, the former director of the BRA, is currently overseeing the development of Suffolk Downs for the HYM Investment Group, where he is the managing director. / Photo courtesy of the Boston Globe via Getty Images

**Suffolk Downs** may feel like the hinterlands, over there in Eastie beyond the airport. But if you think our traffic is bad now, if you think the cost of living is high now, if you think Boston is the country's most segregated city now, just wait until our last affordable neighborhood vanishes.

On a freezing January afternoon, I met Councilor Edwards at Maverick Station in East Boston to drive to Suffolk Downs, where we sat in the car and looked over the abandoned racetrack and clubhouse while the winter wind whipped across the vast, open expanse. This is the site where a



massive, multi-phase project is slated to be built. Of the 161 acres before  
Boston, 122 of them lie in Edwards's backyard in East Boston, with the  
remainder in Revere.

For Edwards, the 16-million-square-foot project proposed for the site is a potential threat for the mostly Latinx, renter-heavy, lower-income population that she represents. For local developer HYM Investment Group and 33-year-old Texas billionaire William Bruce Harrison, who together bought the land in 2017 for \$155 million, it's a potential gold mine.

Although the BPDA had plenty of warning that the racetrack was shutting down and was potentially ripe for development, the agency had few thoughts about how this enormous piece of land might be used, or about how development might affect the local community. Those questions were left to the market—or, more specifically, Harrison and Tom O'Brien, HYM's managing director and a former head of the BRA. They drafted their own plan, complete with new zoning that would allow office, residential, and retail space. Anticipating some pushback, the developer preempted impact fees by proposing that his team pay for some roads and infrastructure improvements. Most of these so-called improvements, however, are streets within the development itself.

So far, the project has been designed like a Houston office park, with chunky buildings looming around a yet-to-be-defined open space, linked by wide streets designed to get cars in and out of the development. It is nothing like Eastie's existing street grid, in no way resembles the Boston 2030 vision, and certainly looks nothing like the city's most livable neighborhoods. The project is so inconceivably big that the 65,300 to 76,500 additional vehicle trips per day it's expected to generate would hopelessly snarl traffic on Route 1A. It's shocking, opponents of the development argue, that the BPDA has once again escorted the developer through the usual steps, using the standard large-project timeline, without regard for the many serious problems that the project is bound to create.

During a pair of four-month-long public-comment periods in 2019, in fact, objection letters poured into City Hall, many several pages long and carefully crafted by lawyers working for nonprofit advocacy organizations such as Boston Lawyers for Civil Rights. The letters argued that the BPDA did not properly prepare the community, failed to do sufficient outreach in the multiple languages of the community, and, most important, failed to understand the impact this enormous development would have on the people of Eastie, the environment, and Greater Boston. The complaints repeatedly noted that the affordable units being proposed were not affordable enough, large enough, or numerous enough to accommodate even a fraction of those living in the neighborhood who would likely be displaced. Other complaints came from environmental stewards, who warned that raising the land to protect the immediate Suffolk Downs development from flooding would exacerbate drainage issues throughout the surrounding area within a few years.

Leading the charge was Edwards, who invoked the Fair Housing Act of 1968 to demand that the BPDA take concerns about equity more seriously. Appalled at the fast-track approval process and lack of consideration for her vulnerable constituency, she directed her office to draft "Planning for Fair Housing," a document that details how the city could use planning and zoning to create a better Boston for everyone. The report calls for the



BPDA to join the 21st century by embracing “a holistic equity lens in its planning decision” and negotiating “for public interest concessions from development projects to impose fair housing obligations on private developers.”

Although it’s been just three years since HYM and Harrison bought the racetrack, Greeley says the BPDA has put in the necessary work to sign off on the largest private development ever proposed in Boston. “If we were in a rush, which we’re often accused of being,” Greeley says, “we would have done this thing a long time ago. But we’re not. We have slowly, iteratively, tried to figure this out.” In the BPDA’s defense, Greeley adds, “If you were to sit with Tom O’Brien, he’d tell you how many hundreds of meetings [with the community] he’s had.”

Meetings, though, are useless if the two sides are—quite literally—speaking different languages. On February 3, Lawyers for Civil Rights filed a complaint with the Department of Housing and Urban Development against the BPDA, citing the lack of translated materials available to community members with limited English throughout the process. The complaint also asserted that the BPDA, using archaic tools, had failed to properly assess the larger impact on the region. “Suffolk Downs will fundamentally change the character, cost, and composition of every neighborhood it touches and all surrounding communities,” it states. “Simply put, the stakes for affected communities in Boston, who are primarily Limited English Proficiency residents of color, are enormous.” For those reasons, the group requested that the BPDA immediately halt its review process. The BPDA says it did provide the necessary translations required by law, and as of press time, the agency was still formulating a response to the letter, but it continues to usher the project along.

Regardless, the project is so huge and its impacts so unfathomable that it may finally provide city councilors and civil rights advocates with a big enough platform to shine a spotlight on the BPDA’s shortcomings. It seems to be working: Presidential candidate Bernie Sanders tweeted about Suffolk Downs ahead of the March 3 primary, saying, “We need affordable housing for all instead of more gentrifying luxury developments for the few.”

Edwards, for her part, decided that the only way to rein in the BPDA was to change the law. In January, her office submitted a lengthy amendment to the Boston Zoning Code designed to incorporate equity-based impact analyses into the approval process. Her proposed amendment is now going through working sessions in the city council. She admits it may not get passed soon enough to save the city from Suffolk Downs.

In the meantime, the wheels of justice continue to grind away elsewhere in Boston. There was considerable fallout after Lynch was charged with (and later convicted of) bribery involving an organization receiving federal funds and filing a false federal tax return. Though no one else was charged, one member of the Zoning Board of Appeal stepped down after the scandal. In February, Walsh issued an executive order tightening the conflict-of-interest rules for those who sit on the board.

Still, some see Walsh’s response as akin to trying to fix the cracked foundation of a house with paint and spackle. The ZBA isn’t the problem; it is just one feature of a city planning and development structure that is fatally flawed. What Walsh needs to do with the BPDA is what his





administration has done best—take a wrecking ball to the old agency and build something shiny and new and modern where it once stood.

**Boston**

CITY

RESTAURANTS

WELLNESS

LIFE & STYLE

WEDDINGS

HOME & PROPERTY

THINGS TO DO

TRAVEL

BEST OF BOSTON



### Read More About:

- Boston Planning and Development Agency
- City Council
- East Boston
- Long Reads
- Mayor Marty Walsh
- Seaport District

### You Might Also Like



**Your Ultimate Guide to Boston Running Routes**



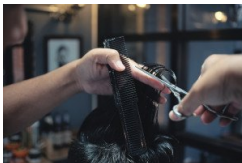
**Looking for a new doctor? Use our carefully curated list to find a doctor in Boston.**



**3 Stunning Outdoor Living Spaces Where the Beauty Is in the Details**



**Getting married? Start and end your wedding planning journey with Boston Weddings' guide to the best wedding vendors in the city.**



**Attention, Men: Here's Everything You Ever Needed to Know about Giving Yourself a Haircut at Home**



**Gray Matters**



**FDA-Approved Keto Pill That Melts 17LBS Belly Fat Each...**  
by Health News Home



**7 Money Steps Everyone Should Take During the...**  
by The Penny Hoarder

### IN THIS SECTION





### Find It Boston

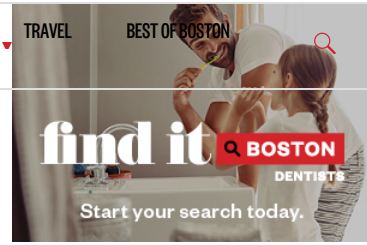
It's a big city out there. We're making it easier to navigate. Start your search today!



### @BostonmagEvents

Follow us on Instagram, Facebook, and Twitter for happenings around the city!

- Instagram
- Facebook
- Twitter



### Boston Dental Network

Looking for a dentist? It's a big city out there. Let us help you. Start your search through our directory of Boston's top dentists today.

<p>Today's Refinance Rate</p> <p><b>%</b></p> <p>Calculate Payment</p> <p><small>Terms &amp; Conditions apply. NMLS#1136</small></p>	15-Year Fixed	2.50%	2.60% APR	▶
	30-Year Fixed	2.75%	2.91% APR	
	5/1 ARM	3.00%	3.21% APR	
	\$225,000 (5/1 ARM)	\$949/mo	3.21% APR	
	\$350,000 (5/1 ARM)	\$1,499/mo	3.17% APR	

- [About](#)
- [Contact](#)
- [Masthead](#)
- [Magazine](#)
- [Subscribe](#)
- [Advertise](#)
- [Customer Service](#)
- [Careers](#)
- [Privacy Policy](#)

# Boston

2020 © Metro Corp. All Rights Reserved.



# LOWER CAPE

## CORONAVIRUS HOUSING RESPONSE MEETING

### WHAT:

- The CDP will convene a virtual meeting to share information about how towns can support Lower Cape residents and advance housing initiatives during the coronavirus pandemic. This meeting is a part of the Lower Cape Housing Institute.

### HOW TO REGISTER:

- Click here to register or email Pelinda Deegan, Housing Advocacy Program Manager at [pelinda@capecdp.org](mailto:pelinda@capecdp.org)
- Download the Zoom app before meeting time
- Please join the meeting at 9:55 am

### WHO SHOULD ATTEND:

- Members of Housing Trusts
- Members of Housing Committees
- Members of Community Preservation Committees
- Planning Boards
- Finance Committee
- Select Boards
- Elected and appointed town officials & town staff

**Friday | May 22, 2020 | 10 am - 12 pm | Remote via Zoom or Phone**

Contact Pelinda Deegan, Housing Advocacy Program Manager  
at (508) 240 - 7873 x 15 or email at [pelinda@capecdp.org](mailto:pelinda@capecdp.org)



## Drafting a Request for Proposals (RFP) for Affordable Housing

### Getting Started:

1. Develop goals  
*Use demographic information to determine the housing need in your community. You can also determine goals through community outreach and known site issues.*
2. Declare Land Surplus  
*Authority is based on a community's Charter. Typically in a town, select board propose to Town Meeting, in a city Mayor/Town Manager proposes to City Council.*
3. Initial Feasibility Assessment  
*Gather available site information such as survey, land capacity, wetlands delineation, and septic options. Analyze financial feasibility against goals proposed for target population and density.*
4. Develop the program based on preliminary feasibility analysis and determined goals  
*Rental vs. homeownership, number and composition of units, design guidelines, amenities, access points, and energy efficiency*
5. Get buy-in from stakeholders  
*Conduct public meetings, neighborhood meetings, engage public officials and host public forums as needed.*

### Writing the RFP:

1. Assemble RFP material  
*Site information including locus, topographical maps, zoning information, legal description, utility information and any feasibility studies done during initial feasibility. Provide documentation of any known barriers to the site such as wetlands, easements, or endangered species. Also photos of the site always make the RFP more attractive.*
2. Develop evaluation criteria for selecting a developer  
*Think about capacity of development team, quality of the design approach, responsiveness of the proposal, affordability, financial feasibility, and any energy efficiency desired.*
3. Design the Evaluation Process  
*Determine minimum threshold criteria, flesh out how proposals will meet thresholds and gain advantage in comparative criteria. This will help you objectively compare proposals against key elements of your goals.*
4. Create a list of submission requirements needed to evaluate the proposals  
*MHP recommends communities require development team resumes and references, development concept narrative, site and building concept designs, developer bank references, implementation plan and timetable, and projects pro formas.*
5. Advertise the RFP  
*Per M.G.L Chapter 30B, the disposition of real property must be advertised:*
  - *In a newspaper at least twice*
  - *In the Central Register at least 30 days prior to submission deadline*
  - *Posted in Town*

### Selecting a Proposal:

1. Review proposals  
*Evaluation committee must review all proposals that meet minimum threshold criteria and use the evaluation criteria to determine the proposal that best meets the development goals.*
2. Select a developer  
*Use ranking based on evaluation criteria and recommend the proposal to the awarding authority.*
3. Convey the land  
*Negotiate terms for the disposition and management of the process to conveyance through a land disposition agreement/developer agreement or a purchase and sales agreement.*

## **RFP Outline**

An RFP provides a formal process for soliciting information from prospective developers/owners and will enable the municipality to fairly compare submissions to ultimately choose a developer and dispose of the site. To issue an RFP, your municipality must have a Chief Procurement Officer (CPO) or a person with delegated authority to do so. Check with town officials to see who has this authority. Your community should also have a committee who will be charged with reading and evaluating the submissions and selecting the developer. RFPs and the selection process are governed by M.G.L. Ch. 30B.

The basic structure of an RFP should follow outline below with additional information contingent on the specific site or property being disposed:

### **I. Invitation to Bid**

- A. overview of property being disposed
- B. goals for the disposition
- C. type of disposition (sale or lease)
- D. when/how the land was acquired
- E. contact information of chief procurement officer
- F. Submission deadline

### **II. Proposal Submission and Selection Process**

- A. compliance with M.G.L c. 30B
- B. deadline for submission
- C. how to submit complete proposal
- D. how to submit inquiries on the site before the submission deadline
- E. Proposers' responsibility for due diligence

### **III. Site Tour and Briefing**

- A. date and time
- B. contact information
- C. voluntary or mandatory?

### **IV. Development Objectives**

- A. design guidelines and aesthetics
- B. affordability requirements
- C. desired bedroom configuration/unit types
- D. overview of regulatory constraints
- E. financing options, if any local funds are expected to be provided
- F. project permitting options

### **V. Property Description**

- A. location and site information
- B. completed due diligence on the site (e.g., conceptual site designs)
- C. buildings and improvements on the site (if applicable)
- D. current zoning
- E. regulatory constraints
- F. utilities
- G. site constraints
- H. site photos (if desired)

### **VI. Proposal Submission Requirements**

- A. development plan, including number and size of units, affordability levels

- B. Identification of development team
- C. implementation plan and project timeline
- D. development concept, including proposed uses, market, how proposal complies with development guidelines
- E. overview of property management plan
- F. development and operating pro formas
- G. proposer bank and financial references
- H. required forms, including certificate of tax compliance and non-collusion, disclosure of beneficial interest in real estate

#### VII. Developer Selection Criteria

- A. minimum threshold criteria
- B. comparative evaluation criteria: detailed rubric for each topic to be scored. Typically in 3 or 4 categories such as Unacceptable Acceptable, Advantageous, and Highly Advantageous.

#### VIII. Selection Process

- A. evaluation committee review process
- B. rejection of proposals
- C. how will all proposers be notified of the decision

#### IX. Post Selection

- A. Process after selection including land disposition agreement/developer agreement
- B. Posting in the [Central Register if being disposed for less than actual value of property](#)

#### X. Sample Attachment List

- A. comparative evaluation criteria
- B. locus map
- C. quitclaim deed and town meeting votes
- D. property survey
- E. preliminary site feasibility report
- F. draft land disposition agreement, lease, and/or P&S
- G. certificate of non-collusion
- H. tax compliance certificate
- I. disclosure of beneficial interest

### RFP Writing guide

The RFP Guide is designed to assist Towns and LHAs with the process of writing the RFP by providing coaching text and then samples of what communities can use for each section.

This guide assumes that the 'getting started' work outlined above has already been completed. For assistance with determining need in your community or project feasibility please connect with MHP's Community Assistance team which can provide grants or guidance for this process, or visit our online resources:

- [Housing Toolbox](#)
- [Datatown](#)
- [TODex](#)

MHP's Community Assistance team  
Laura Shufelt, Assistant Director of Community Assistance  
[Lshufelt@mhp.net](mailto:Lshufelt@mhp.net) , 857-317-8582

Town of \_\_\_\_\_

---

---

---

## REQUEST FOR PROPOSALS

To select a developer to construct and manage new affordable, \_\_\_\_\_ housing units on approximately \_\_\_\_\_ acres at \_\_\_\_\_.

### IMPORTANT DATES

Pre-Proposal Meeting/Site Tour: XXXX am/pm on XXX, XX, 20XX

Proposal Submission Deadline: XXXX am/pm on XXX, XX, 20XX

### Section I. INVITATION TO BID

The invitation introduces the RFP and provides a brief overview of key information. Ideally, this information will be conveyed in a way that sparks interest from prospective developer/owners. Specifically, the invitation to bid should provide the following:

- Name the entity issuing the RFP.
- Identify and briefly describe the property concerned.
- Describe the disposition method (i.e., ground lease or sale), and identify key terms of the disposition.
- Highlight the purpose and goals for the disposition.

For example:

*The Town of \_\_\_\_\_ (“Town”), through its Chief Procurement Officer, \_\_\_\_\_, is seeking proposals from qualified developers for the development of affordable rental housing on approximately 6 acres of land at 123 Main Street.*

*The Town acquired the land on \_\_\_\_\_. The town voted at the Fall Town Meeting (Article 5) to make the land available for affordable housing. The Town intends to enter into a Land Disposition Agreement with the selected developer and convey the property with a long-term ground lease to the developer, with affordability deed restrictions.*

*The purpose of this RFP is to select a developer with demonstrated experience and capacity to carry out a development project that best address the needs and goals of the community as described in this RFP. The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in this RFP, will be selected.*

## Section II. Proposal Submission and selection Process

This section clearly outlines the process of submitting the proposal for the developer and summarizes important selection details. You'll want to include:

- Name of Chief Procurement Officer
- Number of copies needed; date, time, and place submission
- How the proposal submission should be marked
- What should be included in the submission, for example many Town's often want the original copy in a three-ring binder but also want an electronic version on a thumb drive
- State where developers send any inquiries on the RFP and the lasted date that an inquiry can be submitted. Also state the final time for modifications or withdrawals.
- Provide a realistic response period from the time of issuance of the RFP. You want the developer to submit quality proposals and a tight schedule could deter the developer from responding all together
- Clarify that proposals should be complete and signed and that late submissions will not be accepted. Reserve the right to reject any or all proposals or to cancel the RFP, if it is in the best interests of the issuing entity

For example:

*The Town has determined that the award of this contract is subject to the uniform Procurement Act. M.G.L c. 30B. Therefore, the provisions of M.G.L c. 30B are incorporated herein by reference. The Town of ABC's Chief Procurement Officer is \_\_\_\_\_.*

*Applicants shall submit on or before 5:00 p.m., November 23, 2020, a clearly marked original proposal plus six copies, including an electronic copy on a thumb drive or CD, to:*

**Town of ABC  
1 Main Street  
ABC, Massachusetts 01234**

*Proposals submitted after this time will not be accepted. Proposals should be marked "**123 Main Street Housing Proposal**" and must include all required documents, completed and signed by a duly authorized signatory, including the following to be considered a complete proposal:*

- 1. Cover Page labeled 123 Housing Proposal to Town of ABC*
- 2. One clearly marked original, in a three-ring binder, and 6 copies of the proposal with all required attachments*
- 3. An electronic version of the complete proposal on a thumb drive or CD*

***The Town reserves the right to reject any or all proposals or to cancel this RFP if it is in the best interest of the Town.***



*All inquiries should be made via email and directed to Ms. Smith **no later than September 25, 2019**. Inquiries should have a subject line entitled: ABC Housing RFP Inquiry. Any inquiries after such date will not be accepted. All inquiries for which a response is provided, together with the responses, will be shared with all proposers.*

*Proposals will be opened publicly at **11:00 a.m. on February 1, 2020**. A proposer may correct, modify, or withdraw a proposal by written notice received prior to the time set for opening of proposals. After the opening, a proposer may not change any provisions of the proposal. Each responsive proposal will be evaluated first for compliance with the threshold criteria, and then the criteria in Attachment A “Comparative Criteria” if it meets the threshold requirements.*

*The Town makes no representations or warranties, expressed or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements, is made subject to errors, omissions, prior sale, lease or financing and withdrawal without prior notice, and changes to, additional, and different interpretations of law regulations.*

**Proposers’ Responsibility for due diligence:** *Proposers should undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, and other development and legal considerations.*

### **Section III. Site Tour and Briefing**

We recommend you plan an on-site briefing session to give potential proposers an opportunity to walk through property and get questions answered. If one is planned, designate a time, place, and contact person for more information about this session. The site tour should be scheduled shortly after the RFP is posted to the Central Register to allow developers time to view the site before submitting their proposal.

*Interested Proposers are encouraged to attend a voluntary on-site briefing session at the site, at 10:00 a.m. on December 5, 2020. To register, or for additional information, contact Ms. Smith at [Smith@townofABC.com](mailto:Smith@townofABC.com).*

### **IV. Development Objectives**

This section helps the proposer understand the goals the town would like to achieve with the land disposition. In this section, it is common for communities to highlight:

- **Affordability** - State the minimum affordability requirements for the site. Developers want to know what percent of the units must be affordable and at what area median income? Do you want the units to count for the Subsidized Housing Inventory (SHI)? Will your town require a deed restriction for this site? What kind of contract will be made between the developer and the town to ensure the units remain affordable?
- **Unit Types** - What kind of unit mix does the town desire for the site? Who is the target population and what is the need? Will this project require accessibility design features?

- **Building Design and Aesthetic** – Many municipalities ask the developer to maintain the local design vernacular of the town. Some towns state that they will be non-prescriptive regarding the design requirements to allow creative building design, site layout and landscaping. Other towns might have more preferences, such as Nantucket who favors certain colors and materials for the buildings. They attach a Historic District Commission handbook called “Building with Nantucket in Mind” for inspiration. This is also the place to list preferred amenities like bike path, community garden, etc.
- **Energy Efficiency** - Most RFPs will state something like “The town is looking for proposals that include building and site designs that increase tenants’ energy and water savings and limits the project’s environmental impact”. If desired, the town should request in this section details on sustainable design features.
- **Project Permitting** – Suggest the permitting process required for site. Do you expect this project will be allowed by-right or will special permitted be required? Does the town anticipate permitted via M.G.L Chapter 40B?

*The Town is seeking a developer to build no more than \_\_\_\_\_ housing units on the site. Energy efficiency and maintainability of the building(s) are desirable features. The bedroom mix should be based on the site’s capacity, good site planning and landscaping considerations, and the market and financial feasibility of an affordable senior rental project.*

### **Affordability**

*At a minimum, the affordability requirements for the property must align with the requirements applicable for inclusion of the units in the Town’s Subsidized Housing Inventory; i.e. 25% of the units must be deed-restricted to persons earning, at a maximum, 80% of area median income. The Town is interested in furthering the affordability, but not at the risk of the long-term feasibility of the project. The proposer should include a clear analysis as to the levels of affordability proposed and the reasoning behind the proposed unit and income mix. The Town is seeking affordability by design in addition to affordability by deed restriction.*

### **Unit Types**

*The development should reflect the \_\_\_\_\_ community and provide housing for low to moderate income \_\_\_\_\_. The Town is interested in the inclusion of units that are intentionally designed as ‘universally accessible,’ providing single-floor living, which could appeal to people for a variety of reasons.*

### **Building Design and Aesthetics**

*The development’s architecture should reflect the local historical, design vernacular and be a stellar example of superior design; both interior and exterior. The Town has made a decision to be as non-prescriptive as possible regarding the design requirements so that Proposers will be creative with building design, site layout and landscaping. The Town of \_\_\_\_\_ is looking for creative use of the land and creative space design for the units.*

*The final appearance of the proposed development should be harmonious with existing norms for attached dwellings in the Town of \_\_\_\_\_. The development should look like it “belongs in”*

\_\_\_\_\_. Proposers are encouraged to use their creativity and experience in the choice of materials and methods of construction so as to minimize regular maintenance costs and promote energy efficiency. The development should include community space and an office. The overall project design will be judged as part of the Comparative Analysis described in Attachment A.

**Energy Efficiency**

The Town is looking for proposals that include building and site designs that increase the tenants' energy and water savings and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the project description.

**Project Permitting**

Proposals should include a description of the permitting process that the developer plans to use. The Town anticipates permitting will be either through M.G.L. Chapter 40B.

**V. Property Description**

Provide proposers with initial context for the site. It is appropriate to add in photos of abutters or site maps in this section.

**Deed**

Please see Attachment X for the Recorded Quitclaim Deed

**Zoning**

The property is currently zoned \_\_\_\_\_.

**Utilities**

- Water: \_\_\_\_\_
- Sewer: \_\_\_\_\_
- Electric: \_\_\_\_\_

**Section VI. Proposal Submission Requirements**

This section should outline all the requirements for a successful proposal submission

1. **The Developer** – Ask for a full description of the development team and all the individuals and organization involved in the potential development. Who is the project manager, architect, contractor, engineers, consultants, lenders and investors? What are their experience? It is important to ask proposers what projects they have in the pipeline to give you an idea on how long it will take to complete the funding process for this site. Provide instructions on the format this information should be provided.

2. **Development Concept** – Require the proposer to outline the development concept that includes preliminary site design, unit layout, timelines, and regulatory approvals needed for their proposed development.
3. **Conceptual Design Drawings** – What size should the proposer submit the conceptual design drawings? How detailed do you want the drawings? We recommend keeping it relatively vague (floor plans, parking layout, elevations, and unit layout). Once the proposer is selected they will have time to refine the design and plan.
4. **Management Plan** – Proposers are often asked to list the property manager, if known, and specify their experience with affirmative fair housing marketing and lottery process, LIHTC, and project-based rental assistance, Section 8, or MRCP (if applicable).

### 1. **The Developer**

*The proposal must include a description of the development team, the individuals and organizations to be involved in the development, **in particular the project manager**, and their experience. The development team may include, without limitation, the developer, property manager, architect, contractor, engineers, consultants, lenders and investors. Proposals must include:*

- *The name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.*
- *If the proposer is not an individual doing business under his/her name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution, a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit entity, please include a list of the organization's Board of Directors and areas of expertise they represent.*
- *The nature of the entity to enter into the sale of the Property and the borrower and guarantors of debt, if any.*
- *Identification of all principals, partners, co-venturers or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.*
- *Discussion of whether the Property developer will also be the property manager and if this is not the case, the legal and financial relationship between the entities. If the developer will not be the property manager, the proposer shall describe the process for securing property management services.*
- *Identification of the development team, such as architects, engineers, landscape designers, contractor, development consultants. Background information, including firm qualifications and resumes for principals and employees expected to be assigned to the project, should be provided.*
- *A summary of the developer's and the development team's experience, both collectively and individually, and with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of **site conditions**,*

**design and financing**, as well as location. Proposers should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, financing, construction, and marketing/unit absorption.

The following format should be used to submit the information required.

- For all reference projects: Project name, location, project type, project scope, start date, projected completion date and actual date of completion, total development costs, key project people.
- Narrative on why your experience is relevant to the Erving Senior Housing project.
- Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
- Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the Proposer, its principals or any affiliates.
- Confirmation that no local, state or federal taxes are due and outstanding for the development team or any constituent thereof.
- Provision of references for 3 completed projects, with contact names, title and current telephone numbers, who can provide information to the Town concerning the Proposer's experience with similar projects

## **2. Development Concept**

- The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:
- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ green design elements of the building and site designs.
- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, including the Senior Center, in particular with respect to noise and traffic during the construction period.
- Project financing – provide a sources and uses pro forma, development and 5-year operating budgets (see comparative evaluation criteria), and detail previous success in securing such funding. Describe in detail what, if any, local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.
- Lender letters of interest (mentioned in the comparative evaluation criteria)

### **3. Conceptual Design Drawings**

*The proposal must include 11 x 17 plans including:*

- *site plan that describes parking layout and numbers of parking spaces and building footprints*
- *landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas*
- *floor plans*
- *elevations with material indications*
- *typical unit plans*

### **4. Management Plan**

- *Description of the target market, e.g., pricing and the strategy for marketing and lottery process*
- *The proposal must include a plan for the ongoing management of the development. In addition, if the Proposer is including a property manager as part of its team, all relevant information as outlined under 'The Developer' above should be included as well as details of any projects where the Proposer and Manager have worked together before.*
- *Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. Proposals may include a lottery agent as part of the development team. A marketing/lottery plan shall be required as part of the approval of the units for inclusion on the Subsidized Housing Inventory, and prior to building permit issuance. For the proposal, the Proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.*

*The Proposer and/or their property manager must demonstrate:*

- *A clear understand of fair housing requirements/laws*
- *A clear understanding of the local preference opportunities and requirements, and how the lottery will address local preference.*
- *Ability and commitment to utilize appropriate stated standards to determine program and unit eligibility – i.e qualified tenants.*
- *Establishment of clear criteria for tenant selection and a fair and unbiased selection process.*
- *Responsibility for selecting properly qualified tenants.*
- *Ability and commitment to maintain all necessary reports and certifications required under state and federal law.*

## **VII. Developer Selection Criteria**

The purpose of the RFP process is to establish a fair and objective method for selecting a developer/owner for the property. Determine a set of minimum criteria that all proposals must meet. Any proposal that fails to meet these criteria should be rejected. Proposals must meet a set of comparative criteria that provide a relative measure of the strengths of each proposal. It

is important that submission requirements match all of the items outlined in these evaluation criteria. Both the submission requirements and the selection criteria should be as detailed as possible to ensure that first, you get a complete picture of the proposers, the development team, and the proposed development and second, the proposers understand what is required of them and how the information will be evaluated.

### **VII. Developer Selection Criteria**

*All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. Proposers may be invited to present their proposal to the review committee. The presentation will not be scored.*

#### **Minimum threshold criteria**

*The following are minimum criteria for Proposal consideration. Proposals that do not clearly and fully convey compliance with these minimum criteria will not be considered.*

- 1. Complete conformance with all submission requirements*
- 2. Proposer must have a minimum of \_\_ years' experience in development of housing*
- 3. Proposer must show a successful track record of projects of similar scope with at least 3 references*
- 4. Developer availability to commence work within \_\_ days of selection; show sufficient staff resources and availability to perform required services*
- 5. Completed required forms at Attachments H, I & J:*
  - Certificate of non-collusion*
  - Tax compliance*
  - Disclosure of beneficial interests form as required by M.G.L. c. 7C, section 38 (formerly c. 7, section 40J)*

#### **Comparative Evaluation Criteria**

*Projects meeting the minimum threshold criteria will then be judged and scored based on the Comparative Evaluation Criteria outlined in Attachment A.*

### **VIII. Selection Process**

Describe the process that will follow the disposition of the property. Include how and when the proposals will be reviewed. Municipalities do not need to open proposals publicly anymore Identify the party responsible for reviewing the submissions, and state that all information contained in the proposals is public. MHP recommends that municipalities require presentations instead of interviews. This allows the developer to explain more about their proposal and allows for better questions at the end. However, presentations or interviews can only be done for every developer that meets minimum threshold criteria, not just the proposals that the municipality is interested in.

#### **VIII. Selection Process**

*The evaluation committee will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined herein. Evaluation of the proposals will be*

*based on the information provided in the proposers' submissions in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the Town. The Town will select the developer it or its designee(s) determines has presented the most advantageous proposal. **The Town reserves the right to select the proposal that best meets the needs of the community and that may not be the proposal that achieves the highest score.***

*The Town will notify all proposers in writing of its decision.*

*The Town reserves the right to reject any or all proposals or to cancel this Request for Proposals at any time if it is in the best interest of the Town.*

### **IX. Post Selection**

This section highlights how the land will be conveyed to the developer once a proposal is chosen. This section should also include how you will comply with Chapter 30B after the selection is made, by posting in the state's Central Register the name of the selected proposer and the amount of transaction.

#### ***Land Disposition Agreement***

*It is the intent of the Town to enter into a Land Disposition Agreement with the selected proposer within 90 days of selection and then to lease the land with deed restrictions after certain benchmarks have been met. The Land Disposition Agreement will be finalized after the selection process. A draft Land Disposition Agreement can be found at Attachment X.*

#### ***Chapter 30B Real Property Dispositions to Promote Public Purpose Requirements***

*The name of the selected proposer and the amount of the transaction will be submitted for publication in the state's Central Register.*

*If the Town determines that the public purpose of the project is best met by disposing of the property for less than fair market value, the Town will post a notice in the state's Central Register explaining the reasons for this decision and disclosing the difference between the property value and the price to be received. This notice will be published before the Town enters into any agreement with the selected developer.*

### **X. Attachments**

- A. Comparative Evaluation Criteria
- B. Locus map
- C. Quitclaim Deed & Town Meeting Votes
- D. Property Survey Plans
- E. Preliminary Site feasibility report
- F. Draft Land Disposition Agreement/Developer Agreement/Lease or P&S
- G. Certificate of Non-Collusion
- H. Tax Compliance Certificate
- I. Disclosure of Beneficial Interest



## FAQs

### **Who needs to dispose of real estate through a Request For Proposal process?**

Any public entity (Town or City, Municipal Affordable Housing Trust (MAHT), Local Housing Authority (LHA), etc.) is subject to M.G.L Chapter 30B §16.

### **When do public construction laws apply (according to M.G.L Chapter 30B)?**

Public construction laws apply when the lease term is less than the useful life of the buildings. It will also apply if the public entity controls construction or management of the project. If a specific design is mandated public construction law will apply. For more information please review [The Chapter 30B Manual](#).

### **Can we use another community's RFP to write our own RFP?**

Every site has its unique constraints, community goals, and parameters that make copying another community's RFP risky. It is best to outline your community's goals for the site, feasibility, and evaluation criteria in order to elicit appropriate proposals.

### **Once we select a proposal, can we provide the developer with input on the construction or management of the site?**

Once a proposal has been selected and a developer is chosen, the Town, MAHT or LHA cannot provide construction or management oversight for the project. If they do it may be subject to public constructions laws.

### **Can a Town, MAHT or LHA mandate a design for the site?**

A Town or LHA cannot mandate a design in the RFP, or it would be considered public construction. However, MHP encourages communities to list preferred design guidelines to help the developer understand what would best fit in the area and meet the community's goals for the site.

### **What is a realistic timeline?**

- Once the property is declared surplus and a RFP committee is formed:
- 3-5 months to draft an RFP for release
- 2-3 months submission deadline
- 2-3 months to score & award to developer
- 1-2 months to negotiate LDA or P&S
- 3 months to begin permitting
- 6 months to permit
- Annual Application for State funding in February
- Typically 2 or more submissions before project is funded
- Funding awards in late June
- Construction financing closing September
- Lease up/sale of units within 6 months of construction completion

**Average time from selecting proposal to occupancy (assuming no appeals) is 5 years**

### **How specific should the goals and guidelines be?**

Goals, such as number of units, tenure, minimum affordability, etc., can be prescriptive. Design may have guidelines and standards but cannot be prescriptive without crossing the line into a public project, subject to all of the Public Construction laws.

### **Do proposals have to be open in public?**

No, however, all deliberations during the review are subject to Open Meeting laws. All materials in a proposal is public information.

### **Should we require interviews or presentations for proposals that meet minimum threshold criteria?**

Both interviews and presentations can be required but must be for all proposals that meet minimum threshold. Reviewers cannot “tier” proposals and only interview top 3, for example.

DRAFT