

**Affordable Housing Trust**  
**Thursday, May 20, 2021 - 2:00 PM**  
Regular Meeting: 2:00 PM  
Executive Session: 2:40 PM  
**Virtual | Go To Meeting**  
**AGENDA**

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**I. CALL TO ORDER**

**II. PUBLIC MEETING**

- i. Public Comment & Announcements
- ii. Approval of Minutes - November 19, 2020
- iii. Discussion regarding resumption of community engagement activities
- iv. Workshop discussion relative to Sisson Road project
- v. Housing Coordinator Update
  1. Virtual office hours
  2. Affordable Housing Committee project
  3. March monthly report
- vi. Member reports and agenda building
- vii. Establish monthly meeting schedule

**III. OTHER BUSINESS**

**IV. NEXT MEETING DATE**

**V. ADJOURNMENT**

**VI. EXCUTIVE SESSION AT 2:40PM**

Pursuant to M.G.L. c. 30A, § 21(a) (6), to consider purchase, exchange, lease or value of real estate if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

\*\*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:**

\_\_\_\_\_  
Danielle Delaney, Executive Assistant

**Posted by:** \_\_\_\_\_  
Town Clerk

**Date:** \_\_\_\_\_

**Minutes**  
**Harwich Affordable Housing Trust**  
**Thursday, November 19, 2020 – 1:00 PM**  
**This meeting was held VIA REMOTE PARTICIPATION.**

**MEMBERS PRESENT:** Chair, Don Howell, Vice Chair, Larry Brophy, Clerk, Brendan Lowney, Judith Underwood, Joe Powers, Interim Town Administrator.

**MEMBERS NOT PRESENT:**

**OTHERS PRESENT:** Pelinda Deegan, Housing Advocacy Program Manager, Community Development Partnership, Art Bodin, Chair of the Harwich Affordable Housing Committee, Griffin Ryder, Town Engineer

Meeting was called to order at 1:18 pm by Mr. Howell. Roll Call: Mr. Lowney – Present, Mr. Brophy – Present, Ms. Underwood – Present, Mr. Howell – Present, Mr. Powers – Present

**Public Comment & Announcements: None**

**Approval of Minutes:**

**June 29, 2020**

Mr. Brophy moved to approve the minutes as published. Ms. Underwood seconded. Roll Call vote: Mr. Brophy – Yes, Mr. Lowney – Yes, Ms. Underwood – Yes, Mr. Howell – Yes, Mr. Powers – Abstain.

The motion passed with 4 votes in favor, 1 abstention. (4-1-0)

**October 26, 2020**

Mr. Brophy moved to approve the both minutes as published. Ms. Underwood seconded. Roll Call vote: Mr. Brophy – Yes, Ms. Underwood – Yes, Mr. Lowney – Yes, Mr. Howell – Yes, Mr. Powers – Yes.

The motion passed with 5 votes in favor. (5-0-0)

**Sisson Road housing development update**

Mr. Howell stated that a discussion is required to review the engineering studies with regard to 265 Sisson Road. He added that the project will not impact the Harwich Junior Theater (HJT) in any way. He stated that there is no RFP but is a priority project.

## **Sisson Road community engagement update**

Mr. Howell stated that there will be many opportunities for community engagement. The Trust has had several discussions on design preferences so that the Sisson Road project fits within the character of the community. There will be further discussion prior to submitting a Request for Proposals.

Mr. Ryder, Town Engineer, spoke about his Sisson Road Proposed Development Memo that was included in the agenda packet. The memo is a preliminary review of the pre-development phase of the proposed Sisson Road development based on the Bohler Engineering report. Bohler Engineering conducted a due diligence assessment and developed two concepts related to the septic system. Mr. Ryder stated that from his understanding, the preference was Concept B which shows the HJT sharing a septic system with the proposed development. He also mentioned looking at a site survey plan and did not know who prepared the plan. Mr. Ryder referred to the Massachusetts Housing Partnership's Housing Toolbox for pre-development tasks and which entities would be responsible for said tasks. He added that the municipality is responsible for the site survey which includes a field survey and also an historical assessment going back 100 years. He stated that there are other regulatory tasks that may potentially impact the site plan including wetland setbacks and a buffer zone. Mr. Ryder indicated that the plan that he has is not stamped and the date is listed as 2008. He recommends engaging a surveyor and reaching out to Brown, Lindquist, Fenuccio & Raber to see who conducted the survey as to not duplicate efforts. Mr. Ryder confirmed that the Town does not have a town surveyor and his recommendation is to engage with a surveyor as the next step. Mr. Ryder also stated that the developer is required to conduct a Phase I-21E evaluation which is typically performed by a licensed site professional who conducts a field review and identifies any contamination that would impact the development. If anything is found, the next step is a Phase II assessment. Mr. Ryder added that this task should be added to the RFP as a task for the developer. Mr. Ryder also reviewed the site engineering tasks and identified the items as requiring a Geo-technical Engineer to review as part of the pre-development process.

Mr. Ryder referred back to the Bohler Engineering Due Diligence Report. He identified that in the report, the separation from the infiltration for the septic and the proposed infiltration for the drainage does not meet the required setback. Mr. Howell asked if a request for a variance can be pursued. Mr. Ryder indicated that he will investigate the question. He explained that the Harwich bylaw is different from the state's requirement. Mr. Howell suggested this is an important issue to resolve. Mr. Lowney asked if the 25 foot setback is from the reserve. Mr. Ryder answered, yes, and that the requirement is 50 feet in order to use the reserve. He added that, looking ahead, the area of the development will likely be added to the sewer system and may not need the reserve.

Mr. Ryder's last comments were about the soil tests and he was not sure if they were done.

He added that he noticed that in the conclusion of the Bohler report, two possible avenues were mentioned in order to move forward, one of which is the Chapter 40B route. Mr. Ryder stated that going through the Chapter 40B route would give a lot of flexibility. Mr. Howell confirmed that there were several discussions about Chapter 40B with regard to affordability and site design.

### **Community Preservation Application update and possible vote**

Mr. Howell provided an update on the Community Preservation Committee application. After he assessed the Trust's finances and available funds, he recognized that it would be challenging to request more funds without knowing the exact cost for the Sisson Road development. The request for the current application covers funding for staff. Mr. Powers said that they received the grant agreement for the current year and stated that it is fully executed.

Mr. Brophy moved to request authorization for approval to apply for and receive funds for the Housing Coordinator. Mr. Lowney second.

Roll call: Mr. Brophy – Yes, Ms. Underwood – Yes, Mr. Howell – Yes, Mr. Powers – Yes

The motion passed with 5 votes in favor. (5-0-0)

### **Discussion of Town Planner, Charleen Greenhalgh's retirement**

Mr. Powers provided an update on Town Planner, Charleen Greenhalgh's, retirement. Beginning in December, Ms. Greenhalgh has agreed to work on a part-time basis. She will no longer attend the Trust meetings to provide staff support. Mr. Powers will be acting as a staff resource moving forward.

### **Updates on Housing Coordinator and consulting services contracts**

Mr. Howell stated that he is committed to the work and needs staff support. He asked Mr. Powers about the status of the Housing Coordinator contract. Mr. Powers along with Mr. Ryder as part of the Procurement Team and the Finance Director began weekly procurement meetings to start the Town's procurement process which includes the Housing Coordinator RFP.

Mr. Howell said that before moving to the next agenda item, he addressed that the Trust is doing the best they can considering the pandemic which has slowed progress on community engagement. He added that the template for how the Trust operates will involve the public's input. Mr. Howell said that not having established policies and guidelines for how housing initiatives will be selected and prioritized, will become problematic for the Trust.

### **Housing Coordinator Report**

1. Habitat for Humanity has applications available for 6 affordable homes for purchase to be

built on Murray Lane, at 93 – 97 Main Street. They have held information sessions and are still accepting applications. The deadline to apply is December 1<sup>st</sup>. The lottery date is slated to be early 2021. The flyer and application with contact information is posted in the Harwich Affordable Housing Trust webpage. Early this month, the six homes were added Harwich's Subsidized Housing Inventory list.

2. The Housing Coordinator October Monthly Report has been submitted. Last month, the Housing Coordinator assisted two residents with housing information and referrals.
3. The Barnstable County Board of Regional Commissioners, Barnstable County Economic Development Council (BCEDC) and the Cape Cod Commission announced the award of a \$150,000 grant through the Barnstable County License Plate Grant Program. The grant will support a joint effort of the Association to Preserve Cape Cod (APCC) and Housing Assistance Corporation which will work together on a two-year project to identify areas where the development of housing and protection of priority natural resource areas would be most beneficial.

Mr. Howell mentioned that there is no benefit to the Town of Harwich. The Town is not getting credit towards the goal. Ms. Underwood questioned if this is an opportunity to get involved and have them do environmental reviews on town owned land. Ms. Aldana asked whether the Trust would engage in unit creation that would not be added to the Subsidized Housing Inventory (SHI). She added that this should be addressed as part of the action planning process.

At 42:40 of the meeting, connection was lost and resumed soon after. The Trust continued their discussion with regard to increasing affordable housing units and the SHI. Mr. Powers recommended referring back to the Housing Production Plan as a guideline to increasing housing production. Mr. Howell advocated that the state reviews how they regulate achievement of the 10% affordable housing goal. Ms. Underwood asked if the Trust can engage with Cape Cod Commission and APCC to conduct environmental studies on town owned land. Mr. Howell agreed that this will be a continued conversation in addition to Chapter 40B.

The Housing Coordinator continued and shared the Community Development Partnership's monthly Lower Cape Coronavirus Housing Response meeting invitation.

Mr. Howell continued to talk about the challenges of virtual community engagement. He prefers to continue any type of community engagement and action planning process in-person. Mr. Bodin shared his comments and asked the Trust to clarify the status of the Sisson Road RFP. Mr. Howell responded and stated that he had discussions with Laura Shufelt at MHP. Mr. Powers provided clarification with regard to the next steps about procuring an engineer to do the soil tests. Mr. Howell explained that importance of engaging with an engineer to conduct soil tests. The town has no information on whether this was done. Mr. Bodin continued to advocate for more affordable housing.

**Member Updates**

None

**Other Business:**

None

**Next Meeting Date:**

December 17th at 1 pm

Mr. Brophy moved to adjourn at 2:43 pm. Ms. Underwood seconded the motion. Roll Call: Mr. Lowney – Yes, Mr. Brophy – Yes, Ms. Underwood – Yes, Mr. Howell – Yes, Mr. Powers. Motion carried by a unanimous vote. (5-0-0)

MEMO

TO: Harwich Municipal Affordable Housing Trust

FROM: Laura Shufelt, MHP

Date: May 6, 2021

RE: RFP questions to consider

The Request for Proposal process for public land requires numerous decisions best contemplated before beginning the drafting of the document. Below are some typical questions the Trust should reach consensus on as we begin the process. (Note: some of these may have already been decided.)

- Housing tenure: ownership or rental? Age-friendly or age-restricted? Should be influenced by documented need
- Affordability\* – How many apartments must be income-restricted? At what income level(s)? How specific do you want to be?
- Building design. Keeping in mind that a prescriptive design would trigger public construction laws, how much do you want to describe your preferences for design? Broad statements? Design Guidelines? Look to others, like Cape Cod Commission booklet, Designing the Future to Honor the Past?
- Amenities\*. Do you want to require or suggest amenities? What amenities would you like or require? Examples: rental office, community space, outdoor programmed space, storage, etc.
- Interior or unit design. Do you have any preferences or requirements for the interior? Examples: minimum or maximum square footage? Individual outdoor space\* (patios or balconies)? Laundry facilities, shared or individual\*? Heating or cooking fuel (many towns are not allowing new gas hook-ups including for cooking)?
- Site Design. Preference for where the development should be sited? Access: Sign? Landscaped? Wastewater or storm water requirements above MA laws\*?
- Energy Efficiency. Preference for or requirement of green design elements?\* Which ones?
- Developer Experience. How many years in residential development? Does it have to be affordable housing? Do they need to have had successful similar projects?
- Management. Do they or a team member need to have affordable housing management experience? How much?
- Financial Feasibility. Who will review financials? Will the town CPC or Trust encourage an application for development funds?
- Land Conveyance. Will the town convey the land by deed or long-term (99 year) lease?
- Review Committee and Awarding Authority. Will all trustees review the proposal? Will the Awarding Authority decide on a specific number of finalists or the top choice only?

\* These should be tested for financial feasibility as the drafting moves through the other topics.



## community development partnership

# Town of Harwich March 2021 Monthly Report

### 1. Virtual Office Hours

- a. Ongoing virtual office hours available to residents on Monday – Friday, 9 am to 3 pm.
- b. Bi-weekly call-in meetings check-ins with Trust Chair, Don Howell as needed:
  - 3/17: discuss resumption of work and prepare for an April meeting

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

- a. Provide staff support to Affordable Housing Trust (AHT)
  - 3/16: email correspondence with the Trust Chair to discuss resident services.
  - 3/22: correspondence with Trust members about scheduling a Trust meeting in April.
  - 3/22: prepared a CPC report and submitted to the Trust Chair on 3/23.
  - 3/25: email correspondence with the Trust Chair about engaging with the Affordable Housing Committee regarding community engagement.
  - 3/29: submitted final draft of the CPC report.
  - 3/30: follow-up email correspondence with the Trust Chair about attending an Affordable Housing Committee meeting.
- b. Pre-development tasks
  - 3/16: Ongoing correspondence with Laura Shufelt, Acting Director of Community Assistance, MHP, regarding engineering studies on Sisson Road site.

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

### 4. Building relationships and gathering information

### 5. Community Outreach & Response

- 3/9: one referral to Council on Aging.
- 3/17: one referral to the Harwich Housing Authority and one referral to Homeless Prevention Council.