

Provincetown Community Housing Council

Veterans Memorial Community Center ↻ 2 Mayflower Street
March 14, 2016

1:30 p.m.

Members Present: Ron Irwin, Elaine Anderson, Kristin Hatch, & Susan Cook

Staff: Community Housing Specialist Michelle Jarusiewicz, Town Manager David Panagore, Asst. Town Manager David Gardner

Public Statements: none

Special & Annual Town Meeting: discussion with Town Manager David Panagore and Asst. Town Manager David Gardner;

Article #26: Condo-conversion by-law: is different than last year's proposal. It removes the two-year moratorium and provides several hardship exemptions. It only applies to units built before 1983. The Board of Selectmen makes the determination. It is a priority in the Local Comprehensive Plan. The Housing Action Plan refers to the hole in the bucket from condo conversions and the need to slow it down. Rik Ahlberg asked why Board of Selectmen and not Planning Board? How is the data determined? The Town Manager indicated that the vacancy rate threshold is gone. The Assistant Town Manager said that this is a general bylaw; the Planning Board has purview over the zoning bylaws. We are creating a permit process for condo conversions. Condo conversions just file Master Deed with Barnstable County; it is form of ownership not adding units. The Town Manager said that Provincetown has no clear piece regarding vacancy rates and it validates tenant's rights. Rik said that realtors, developers and contractors are all against it and claim jobs will be lost. The tenant protection piece gets lost. Mr. Gardner indicated that he doesn't believe that jobs will be lost; these are old buildings and still need work. It only applies to 4 or more units built before 1983.

Kristin Hatch asked about an 8-bedroom guest house being converted to a single family? Mr. Gardner indicated that it doesn't prevent that; it doesn't prevent a home being split into 2 or 3 units; it doesn't prevent new development. It applies to older multi-unit structures.

Kristin Hatch MOVE to recommend the condo conversion article #26; Elaine Anderson second; approved 4-0.

Article 32: Inclusionary Zoning By-law: The Assistant Town Manager said that the underlying intent is to put the burden of producing a diversified housing community off the tax payers and onto the market; to make the market provide affordable and community housing units within the development either with 6 or more units building one within the development. There are several ways to do this. They could receive a density bonus. For 1 to 5 units, an in-lieu fee is allowed. The fee is set at 3% of the average value of the created housing. For example if 2 units are created, a 1-bedroom at \$400,000 and a 2-bedroom at \$500,000, 6% of the average for the 2 units would go into the Affordable Housing Trust Fund [AHTF] or the Year-round Rental Housing Trust [YRRHT]. The Land Bank goes away in 2020 and it is the primary source of funding for the AHTF. This could create a revenue stream.

Kristin Hatch asked if build 6 or more units are they required to build within or off-site of the development? Mr. Gardner indicated that they could reserve a comparable unit with a deed restriction in perpetuity. She asked if there is an incentive to build or not? David Gardner said that with the in-lieu fee, at some point it is more economical to build. David Panagore said that Provincetown is different than other places with an extreme case of the comparison of the median income and the value of housing and not able to typically produce large developments of 40 or more units. Most developments are between 0 and 5 units. There are limited other State funds that target that type of development. Province is like nowhere else. David Gardner said that it applies to every new unit. With very small parcels, if the threshold was 4 or 5 units, they would create a loophole; the market

would drive development to that size. Realtors get 5% +/- profit. Kristin Hatch asked why would it go to the other account? David Gardner said that it will allow the Town to set priorities. At some point they may want to shift to community housing if YRRHT passes, it can fund units above 80% AMI. Using the 10% SHI mark as a guide. The CHC and Planning Board will help guide this through the permitting process. Ms. Hatch said that she wouldn't want to fight about the AHTF. Mr. Gardner said they wanted flexibility and discretion. Elaine Anderson said that she supports community housing; there are many town employees that are not eligible for affordable housing. Rik Ahlberg asked if there were any projections regarding the amount of money? Mr. Panagore said they could probably run some. Mr. Gardner said that if we don't do it, there will be \$0. This shifts the minimum to 15% but everyone must participate. Probably \$100,000 to \$200,000 range per year. Kristin Hatch said then it is a gift to developers. Mr. Gardner said that deletes section 4570 conversion bylaw.

Kristin Hatch MOVE to recommend the inclusionary zoning bylaw Article #32; Ron Irwin second; approved 4-0.

Article #30: Zoning Growth Management Category: David Gardner said that this would allow a new category for access to gallons for rental units without income restrictions; now only have access if deed restricted affordable housing. This is for year-round rentals, not income restricted. It will provide priority access within Growth Management. Ms. Hatch said that the Board of Selectmen allowed deed restricted to convert from rentals to ownership; what would happen if now? Mr. Gardner said that property was being lost through foreclosure. Now accessory units are allowed in Res1 and Res2 districts. The issue is the need for gallons. They need to stand in line with developers. Now there will be a separate section. We have 1 unit so far; 2 others in the system. This should encourage the market to create units on the property owner's dime.

Elaine Anderson MOVE to recommend Article #30 Growth Management zoning bylaw; Ron Irwin second; approved 4-0.

Article #31; Zoning by-law Housing Definitions: David Gardner said they incorporated all categories of affordable and community housing and expanded the definition to middle income at 160% AMI.

Elaine Anderson MOVE to recommend Article 31 regarding income definitions; Susan Cook second; approved 4-0.

2:20 pm Kristin Hatch leaves

STM Article 7 Winslow Farms: David Panagore described the various density levels for the property compared to the densities at George's Path in the neighborhood, VFW combined with Winslow; and 90 Shank Painter Road. The current permitted density at Winslow is 7.96 units/acre. The density at George's Path is currently 11.67 units/acre and will be 11.94 units/acre with additional units to be developed. 90 Shank Painter has 19 units/acre. If the VFW & Winslow Farms were developed at the current density it would result in 16.57 units/acre. If developed at the George's Path density it would be 24.85 units/acre. 25 Units would be allowed under zoning. 40.38 units/acre if at the same density as 90 Shank Painter. If the transaction goes through, we need a robust community conversation about the density, timing, and financing. The lower the unit income level, the deeper the subsidy needed and the longer time to build. The goal is to get the units built, but need serious money. MassDevelopment & the Urban Land Institute will help determine how the money gets used. They will operationalize the best ways to use the Affordable Housing Trust Fund and maximize the use. They may be here in early June. Elaine Anderson said that she would hate to see the Housing Authority in competition over money. David Panagore doesn't see it as competition but as collaboration. If have land and money, need development entity. Housing Authority must be part of the mix. Ms. Anderson said that she knows there is opposition but got her questions answered. There is a lot of misinformation out there. She was satisfied and supportive. David Gardner said some in the community are suspect about who benefits. It makes sense that the Town owns the property. Last time there was concern over the price tag of \$1.7 million with some funds from the CPA. It failed but

not by much. Heard the concern that the price tag was too much. Elaine Anderson said there was also the issue of the VFW purchase and no movement. It is definitely to the Town's advantage. There is an existing 3-bedroom, could divide into a 2-bedroom and a 1-bedroom. It could be occupied immediately. David Gardner said as a 3-bedroom it could be. Rik Ahlberg asked who would operate? David Panagore said that a Request for Proposals [RFP] would be drafted. He has done it elsewhere. Profit would come back to the Town. Elaine Anderson said "outstanding." The town should not be in the business. David Panagore said that he needs to investigate. He hasn't looked at the AHTF; the YRRHT could; maybe under a holding company. Elaine Anderson indicated that the Housing Authority has interest in management.

Elaine Anderson MOVE to recommend STM Article 7 acquisition of Winslow Farms; Susan Cook second; approved 3-0.

ATM CPA Article 17 various sections:

The Housing Specialist indicated that they had voted on both housing related articles as part of the CPA process; this request is to recommend for town meeting.

S. 3D \$60,000 for Housing Authority planning for expansion: Elaine Anderson stated that she was on the Housing Authority Board.

Ron Irwin MOVE to recommend Article 17 s. 3D for Housing Authority expansion planning; Susan Cook second; approved 2-0-1 [EA].

S. 3E \$117,982 for Housing Office

Elaine Anderson MOVE to recommend Article 17 s. 3E for the Housing Office request; Susan Cook second; approve 3-0.

Housing Playbook:

Town Manager David Panagore discussion - The Board of Selectmen requested that we create a baseline, what we have for tools, programs, and resources. Identify the gaps. Build on the Housing Action Plan and existing data. Start laying out needed action steps in the context of 3 areas – affordable housing, community housing, and seasonal worker housing. The Town's role is different in each. We have lots of programs for affordable housing; very few for community housing and even less for seasonal worker housing. Asking the Board tonight to bring the draft Playbook to boards, committees, and stakeholders which will lead to a second draft. Need to identify permanent sources of funding; need to build for constant production; need to build infrastructure to do so including regulatory, development, etc. He stated that if we don't fix housing, we impact the economy not just for Provincetown but also for the region. The staff pulled the draft together; it will be updated annually and will be a living document. Moved from a "roadmap" to a "playbook" because there isn't enough information. The existing production rate is not enough. Elaine Anderson said there was a lot of community participation in the Housing Action Plan of 2014. Understand that we cannot do it all. It is very serious. People are leaving. People want to stay; they work 2 and 3 jobs to do so. They can't find housing. Susan Cook said her 3 nieces and nephews who were born and brought up here had to leave. Mr. Panagore said that this was a beginning conversation and would return on a future agenda to further discuss. Elaine Anderson said that it was frustrating the starts and stops. For example, Fire House #2 not done; thought it was a done deal. Need an action piece. Susan Cook re-iterated that too many people are leaving town.

David Panagore said the economic development is a related issue but not part of the Playbook; the focus is housing. Elaine Anderson asked about marketing. People are visiting now and very little is open. David Panagore said that he meets with the Tourism Dept. weekly. He is impressed. There was a good winter season; some openings.

Local Comprehensive Plan [LCP]: Need a LCP rep from housing. We also need additional members for the Housing Council. Elaine Anderson volunteers to be the LCP rep.

Susan Cook MOVE to accept Elaine Anderson as LCP rep; Ron Irwin second; approved 3-0.

Elaine Anderson MOVE to recommend Art. 16 #6 Housing Revolving Account; Ron Irwin second; approved 3-0.

Other: The Housing Specialist updated the CHC – all resale units have closed! Seashore Point is accepting applications for their waitlist through March 30th. Stable Path is progressing with completion in May/June.

Minutes: Ron Irwin MOVE to accept the minutes of 1/25/16 as written; Elaine Anderson second; approve 3-0.

Next Meeting: Monday, 3/28/16 at 1:30 pm

Meeting adjourned at 3:23 pm

Submitted by: Michelle Jarusiewicz, Community Housing Specialist