

# Provincetown Community Housing Council

Caucus Hall, Town Hall ↻ 260 Commercial Street

**June 28, 2021**

**1:01 p.m.**

Members Present: Paul Richardson, Austin Miller, Kristin Hatch

Remote: Kevin Moss, Michael Litvin

Staff: Community Housing Specialist Michelle Jarusiewicz, Assistant Town Manager David Gardner, Town Planner Thaddeus Soule

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted **in person** and as a courtesy via remote means, in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law.

Joining the Meeting:

**Microsoft Teams: Join on your computer or mobile app.** [Click here to join the meeting](#)

**Phone: Or call in (audio only)** [\(833\) 579-7589](tel:8335797589) Phone Conference ID: 766 052 802 #

**To Participate during public comment:**

- Teams: Raise hand to be called on to speak.
- Phone: Speak name clearly to be called on to speak.

**Please do not speak again until acknowledged by Chair or meeting moderator.**

- Keep your phone muted at all times when not talking (\*6 to mute & unmute your phone)
- Do not use speakerphone, Bluetooth devices (speakers or headphones)
- Mute all background noises, including PTV, television or computer and use only phone audio.

**Paul Richardson, Chair** here

**Austin Miller** here

**Kristin Hatch** here

**Remote: Kevin Moss** here

**Michael Litvin** here

**Agenda #1 Public Statements** none

## **Agenda #2 Open meeting Law Discussion**

An extension has been made until **April 1, 2022** which authorizes public bodies subject to OML to continue to hold public meetings/hearings entirely by virtual or remote means. Notwithstanding section 20 of chapter 30A of the General Laws or any general or special law to the contrary, a public body, as defined in section 18 of said chapter 30a, **shall not be required to conduct its meeting in a public place that is open and physically accessible to the public; provided, that if the public body does not conduct the meeting in a public place that is open and physically accessible to the public, the public body shall ensure public access** to the deliberations of the public body for interested members of the public **through adequate alternative means** of public access. In short, boards **can choose** to hold entirely virtual meetings, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means", i.e. telephone, internet or satellite enabled audio or video conferencing. Boards can choose to hold entirely in-person

meetings (think pre-COVID rules). Boards can choose to hold “hybrid” meetings consisting of both in-person and remote means. Full Guidelines of the full breadth of Open Meeting Law requirements can be found at [pre-Covid]:

[https://www.mass.gov/files/documents/2018/11/15/2017%20Guide%20with%20ed%20materials\\_revised%201-30-18.pdf](https://www.mass.gov/files/documents/2018/11/15/2017%20Guide%20with%20ed%20materials_revised%201-30-18.pdf)

Members were reminded that, generally speaking, they should never “reply all” regarding emails to other members. The exception is logistics about meeting date, time, attendance. If other matters, they can email the Chair or the Housing Specialist. The Housing Specialist can then provide answer to all members.

### **Agenda #3 50 Nelson Ave**

#### *Discussion with Lyn Plummer of Dolphin Development*

Planning Board tabled application last Thursday following discussion to potentially expand the project by eliminating the cul-de-sac loop. The developer would then be required to provide sprinklers in the building. In the beginning the developer had wanted to add 10 units but the 80 foot diameter cul-de-sac impacted the available space and led to 7 new units [plus one existing]. The septic system may restrict the overall number of bedrooms. The proposed new units are all 2-bedroom. They are going back to the design to see what can be done; it may change the mix of number of bedrooms to 1, 2, & 3. The Planning Board would like to see a second community housing unit possibly ADA compliant. They would consider less parking or perhaps 3 story buildings. Planning Board also discussed quantity of tree removal. While they expect to be on the July agenda, they don’t expect to be ready until at least August to return to the Planning Board.

General discussion between members and Ms. Plummer about number of units, cost to build a unit, different thresholds, flexibility. Adding a third floor to the buildings as designed is not an option as the buildings are too narrow. The CHC’s purview is the affordability levels for the designated community housing units. The development will return in the future following re-design.



## NARRATIVE

### Property Address: 50 Nelson Avenue, Provincetown

The Applicant is proposing the construction of seven (7) Residential Units at the property which presently contains a single-family residence. Application for Site Plan Review is being filed as Administrative under Section 2320 as the property is located in the High Elevation Protection District A as well as for a Special Permit under Section 4015(1) and (5) and Section 4180(B) as seven (7) new dwelling units are proposed. The development will require soil disturbance of more than 750 cubic yards and under Inclusionary Zoning as one (1) of the new Units will be deed restricted affordable and a payment in lieu will be made for one (1) additional Unit.

Site, elevation, landscaping and other plans have been filed detailing the development proposal. The Health Department has approved the septic plans and the Conservation Agent working with Gordon Peabody has approved the work proposed in the Buffer Zoning of the adjacent wetlands area. No trees located within the layout of Nelson Avenue and Stearns Avenue are proposed to be removed and the Existing Conditions Plan locates the trees on the site, many of which will have to be removed during construction and replaced with the landscaping as delineated on the Landscape Plans.

Applicant is not proposing any incentives and the project is compliant with all Zoning By-law requirements including density and building height.

#### Resale & Sales of Deed Restricted Units Provincetown

		low/mod: 65/80%		median: 80/100%				
Date	Address	new?	40B SHI?	Size of unit	Income Level	Max resale price	resale fee	Sold
12/1/2010	6 Sandy Hill Lane #11		no	1 bedroom condo	median	\$ 176,202		\$ 172,000
7/1/2011	2 Meadow Rd #1		no	2 bedroom condo	median	\$ 219,264		\$ 218,000
2012	10 Hensche Lane		yes	1 bedroom condo	low/mod	\$ 133,500		\$ 133,500
2012	22 Hensche Lane		yes	1 bedroom condo	low/mod	\$ 133,500		\$ 133,500
9/1/2012	68 Race Point Rd #3		no	1 bedroom condo	low/mod	\$ 97,819	5,000	\$ 102,819
3/31/2015	10 Hensche Lane		yes	1 bedroom condo	low/mod	\$ 133,500	2,670	\$ 136,170
5/21/2015	16 Harry Kemp Way #9		no	1 bedroom condo	low/mod	\$ 118,500	3,400	\$ 121,900
6/12/2015	16 Harry Kemp Way #7		no	1 bedroom condo	low/mod	\$ 118,500	2,055	\$ 120,555
12/7/2015	2 Meadow Rd #1		no	2 bedroom condo	median	\$ 218,000	4,271	\$ 222,271
1/15/2016	6 Sandy Hill Lane #11		no	1 bedroom condo	median	\$ 187,902	3,758	\$ 191,660
2/26/2016	6 Sandy Hill Lane #12		no	2 bedroom condo	median	\$ 227,249	4,454	\$ 231,703
2/16/2016	24 Capt. Bertie's Way C		yes	2 bedroom condo	low/mod	\$ 175,200	3,504	\$ 178,704
4/5/2017	6 Sandy Hill #3		no	1 bedroom condo	median	\$ 180,414	3,608	\$ 184,022
2/23/2018	48 B Winslow	yes	no	1 bedroom condo	middle 120%	\$ 217,000	5,425	\$ 217,000
2/20/2018	48 C Winslow	yes	no	1 bedroom condo	middle 150%	\$ 265,000	6,625	\$ 265,000
8/19/2019	8 Hensche Lane		yes	3 bedroom condo	low/mod	\$ 175,306	3,506	\$ 175,306
10/5/2020	2 Meadow Rd #4		yes	1 bedroom condo	low/mod	\$ 157,796	4,733	\$ 157,796
12/18/2020	21 Bradford St Ext # 10		yes	1 bedroom condo	low/mod	\$ 149,770	2,937	\$ 149,770
	6 Sandy Hill Lane #11		no	1 bedroom condo	median	\$ 226,044	5,651	
	36 Nelson Ave	yes	no IZ	1 bedroom condo	low/mod	\$ 178,500	3,570	
	30 Shank Painter	yes	no IZ	1 bedroom condo	median			
	286.5 Bradford St	yes	no IZ	2 bedroom condo	median			
	286.5 Bradford St	yes	no IZ	2 bedroom condo	median			

# Income limits FY 2021

Barnstable County median income \$89,300

House-hold Size	65% Income Limit Moderate	80% Income Limit Moderate CPA	80% Income Limit Moderate HUD	100% Income Limit Median CPA	100% Income Limit MHP ONE	120% Income Limit	150% Income Limit Middle
1	\$44,265	\$50,008	<b>\$54,450</b>	\$62,510	\$68,100	\$81,720	\$102,150
2	\$50,538	\$57,152	<b>\$62,200</b>	\$71,440	\$77,750	\$93,300	\$116,625
3	\$56,875	\$64,296	<b>\$70,000</b>	\$80,370	\$87,500	\$105,000	\$131,250
4	\$63,180	\$71,440	<b>\$77,750</b>	\$89,300	\$97,200	\$116,640	\$145,800
5	\$68,250	\$77,155	<b>\$84,000</b>	\$96,444	\$105,000	\$126,000	\$157,500
6	\$73,288	\$82,870	<b>\$90,200</b>	\$103,588	\$112,750	\$135,300	\$169,125

6/23/2021

FY 2021 HUD numbers as base

DRAFT

ACTUAL max sale amounts calculated at time of sale

Affordability Worksheet- 2BR; 2 person household					condo fee 300	
<b>Max. Eligibility Income:</b>		<b>80%</b>	<b>100%</b>	<b>120%</b>	<b>150%</b>	
		\$62,200	\$77,750	\$93,300	\$116,625	
<b>PRICING:</b>		<b>HUD</b>				
		<b>65%</b>	<b>80%</b>	<b>100%</b>	<b>120%</b>	
AMI	<b>\$ 89,300</b>	\$ 50,358	\$62,200	\$77,750	\$93,300	
monthly income: divide by 12		\$ 4,197	\$ 5,183	\$ 6,479	\$ 7,775	
Housing: times 30%		\$ 1,259	\$ 1,555	\$ 1,944	\$ 2,333	
minus tax rate per \$1000	<b>\$7.08</b>	\$ 104	\$ 136	\$ 178	\$ 221	
minus house insurance		\$ 59	\$ 77	\$ 101	\$ 125	
minus .pmi (.006)	<b>0.006</b>	\$ 88	\$ 115	\$ 151	\$ 187	
minus condo/assn fee		\$ 300	\$ 300	\$ 300	\$ 300	
available for mtg		\$ 708	\$ 926	\$ 1,213	\$ 1,500	
Interest Rate	<b>3.000%</b>					
Mortgage term years	<b>30</b>					
Total mortgage		\$ 167,968	\$219,755	\$ 287,756	\$355,724	
Total Sales Price Affordable	divide by 95%	\$ 176,808	\$ 231,321	\$ 302,901	\$ 374,446	
approximate sales price		\$176,200	\$230,800	\$302,500	\$374,300	

## Agenda #4 VFW Request for Proposals:

The Request for Proposals for the housing development at the VFW site was issued in June with site visit conducted on 6/24/21. This was not mandatory. Attendees included representatives from The Community Builders [Province Landing], Pennrose, CDP, Horsley Witten Group, and Warner Larson.

Proposals are due no later than July 29<sup>th</sup>.

*Invitation to Bid The Town of Provincetown (the "Town"), through its Chief Procurement Officer, is seeking proposals from qualified developers for the development of at least 44 units of community rental housing at a range of incomes on*

*a 1.3 acre parcel of land owned by the Town, located at 3 Jerome Smith Rd. in Provincetown. The Town intends to enter into a Purchase and Sale Agreement and convey the property to the developer, with affordability restrictions. The developer will be responsible for the design, construction, development and operation of the rental units at the property. The property will be conveyed subject to a Land Development Agreement, setting forth the terms of the redevelopment and use of the property. The purpose of this RFP is to select a developer with demonstrated experience and capacity to carry out a development project that best addresses 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 the RFP, will be selected.*

The RFP is available at Town’s website:

[Request for Proposals \(RFP\) for a Housing Development at 3 Jerome Smith Road](#)

Discussion amongst members about attendees at the site visit on 6/24/21. Representatives from three potential development companies along with the Community Development Partnership and engineering company were in attendance. Attendees discussed funding sources such as CPA and AHTF. They also inquired about survey and 21E Report for the site. CHC members also inquired about representation on the Review Team. The Town Manager will be sending out invitations to various interested parties to participate.

Austin Miller MOVE to request the Town Manager to include a representative from the Community Housing Council for review of the proposals for the VFW; Kristin Hatch second; approved by roll call vote 5-0.

<b>Paul Richardson, Chair</b>	<b>yes</b>	<b>Austin Miller</b>	<b>yes</b>
<b>Kristin Hatch</b>	<b>yes</b>		
<i>Remote:</i> <b>Kevin Moss</b>	<b>yes</b>	<b>Michael Litvin</b>	<b>yes</b>

Members further discussed interest in being the representative including Austin Miller, Kristin Hatch, and Michael Litvin. This item to be placed on next agenda where interested parties can present why they are interested.

**Agenda #5 Future revenue Sources & CPA Cycle:**

The Select Board and the Town Manager continue to discuss new revenue streams. The chart below is from their May 10<sup>th</sup> agenda. Note that any changes to the existing splits in room tax revenues will require town meeting approval. Lots of interest in funds of course. Assistant Town Manager David Gardner said that it could be on the April 2022 Annual Town Meeting. Members asked if they should comment. Ms. Hatch indicated hat she would like to see the highest percentage possible for housing. She also thought some of the tourism fund should go to seasonal housing for workers. Mr. Miller stated that there is lack of knowledge that the Affordable Housing Trust Fund exists and they should include an outline of potential items that could be supported. Mr. Richardson agreed. Ms. Hatch believes the AHF is underutilized. Other sources include CPA and fundraising. She suggested having a housing day at the Fire Station to conduct some outreach and fund raise. Ms. Hatch indicated that she is also interested in a Housing Production Plan.

**TOWN OF PROVINCETOWN  
ROOMS TAX ANALYSIS**

YEAR	INCREASE	ROOMS TAX	35%		27%		25%		13%		13.0%
			CURRENT	PROPOSED	CURRENT	PROPOSED	CURRENT	PROPOSED	CURRENT	PROPOSED	PROPOSED
			TOURISM		GENERAL FUND		CAPITAL STABILIZATION		WWEF		AHT
FY2016		1,980,268	693,094		534,672		495,067		257,435		
FY2017	5.16%	2,082,537	728,888		562,285		520,634		270,730		
FY2018	2.90%	2,142,869	750,004		578,575		535,717		278,573		
FY2019	2.94%	2,205,781	772,023		595,561		551,445		286,752		
FY2020	0.17%	2,209,507	773,327		596,567		552,377		287,236		
AVG FY18-20		2,186,052	765,118		590,234		546,513		284,187		
FY2021	44.83%	3,200,000	1,120,000	832,000	864,000	832,000	800,000	800,000	416,000	320,000	416,000
INCREASE OVER 3 YEAR AVERAGE			354,882	66,882	273,766	241,766	253,487	253,487	131,813	35,813	416,000

	Tourism Budget	CAP STAB Transfers for CIP
FY2016	630,000	520,634
FY2017	665,000	535,717
FY2018	700,000	551,445
FY2019	750,000	552,377
FY2020	750,000	776,331
FY2021	705,000	706,347
FY2022	915,000	741,651

*Memo to SB for meeting 6/28/21:*

At the Select Board meeting on May 10, we discussed re-allocating a portion of the room's tax (currently allocated by special legislation to the General Fund, Tourism Fund, Capital Stabilization Fund and Wastewater Enterprise Funds) to Housing. For the last several years, we have been waiting for the short term rental tax and the recreational marijuana tax to provide new revenue sources to help meet the Town's needs and Select Board goals. It is the Select Board's policy that consideration of use of these new tax revenues be evaluated once a full year of revenue is realized. While we anticipated seeing predictable trends in short term room's tax revenue before now, the COVID pandemic and the related State granted leniency on reporting and payment of room's tax (FY20 fourth quarter extended to October 2020 and FY21 payments extended to Oct 2021) has delayed our ability to make accurate predictions. Additionally, the State is unable to provide us with data that differentiates short terms rooms tax from traditional rooms for FY2020. For FY2021 this data is available and will be used for future analysis. Although it's still too soon to predict trends and annual short term room's tax revenue, the excess revenue the Town has received in FY21 can be allocated to housing by appropriation at a Town Meeting from the funds where the excess revenue resides. FY21 excess revenue will be identified by dollar amount and fund after the June receipts are received from the State. General Fund excess revenue will be included in the FY2021 free cash calculation and may be appropriated/transferred from free cash at a Town Meeting before June 30, 2022. Calculated increases in FY2022 will project FY2023 revenue and may be used for appropriations/transfer in the FY2023 budget in the General Fund or Unappropriated Tourism Fund. Excess revenue appropriations from the Capital Stabilization and WWEF can also be appropriated/transferred following the spending criteria for those fund

**CPA Grant Cycle:**

The Community Preservation Committee [CPC] issues Requests for Grant Applications in the fall with applications due by the end of December. With the exception of the recent \$100,000 to be transferred into the Affordable Housing Trust Fund, the grants are project specific. Community Preservation Act funds can provide assistance for up to 100% AMI activities [as defined under CPA which is slightly different than HUD & MHP] but has some restrictions regarding eligibility. While Town Meeting ultimately approves [or not] CPA requests, the request must be presented to town meeting through the CPC.

**Agenda #6 other:**

**Membership:**

CHC: 2 regular member slots are open, 1 of which is the Housing Authority rep, and 1 of which is a Select Board appointment. If current alternate members are interested, they should contact the Town Clerk's office and submit application.

Community Housing Council Rep to Community Preservation Committee, currently Kristin Hatch, expires 6/30/21. CHC needs to vote on representative.

*Note: computer connection lost*

Ms. Hatch believes that Housing Authority [HA] member Fran Coco submitted an application for the HA rep. Discussion regarding emailing alternate members regarding applying for full membership spot.

Austin Miller MOVE that Kristin Hatch be the CHC representative to the Community Preservation Committee; approved by roll call vote 3-0.

<b>Paul Richardson, Chair</b>	<b>yes</b>	<b>Austin Miller</b>	<b>yes</b>
<b>Kristin Hatch</b>	<b>yes</b>		

**Agenda #7 minutes:** none

**Agenda #8 next meeting:**

Next meeting Monday, July 19, 2021 1:00 pm

Meeting adjourned at 2:54 pm, Roll Call vote 3-0:

<b>Paul Richardson, Chair</b>	<b>yes</b>	<b>Austin Miller</b>	<b>yes</b>
<b>Kristin Hatch</b>	<b>yes</b>		

*Submitted by:  
Michelle Jarusiewicz, Community Housing Specialist*