

**MINUTES
BOARD OF TRUSTEES OF THE
HARWICH AFFORDABLE HOUSING TRUST
SMALL MEETING ROOM - TOWN HALL
732 MAIN STREET, HARWICH, MA 02645
WEDNESDAY, MARCH 12, 2025 - 5:15PM**

MEMBERS PARTICIPATING: Larry Ballantine, Chair, Brendan Lowney, Vice Chair, Bob Spencer, Clerk, Julie Kavanagh

MEMBER NOT PARTICIPATING; Claudia Williams

I. CALL TO ORDER;

Mr. Ballantine called the meeting of the Harwich Affordable Housing Trust (HAHT) to order Wednesday, March 12, 2025 at 5:15PM. Mr. Ballantine noted that Ms. Williams was ill and unable to attend.

II. PUBLIC COMMENT:

Lou Urbano was present to talk about the West Harwich Square development project and noted that money had been given towards the project. He thanked the HAHT for what they do. He had sent out a note and wanted to clarify what he meant by the note. Mr. Urbano stated that he believes housing should be there and he loves the idea of mixed use. He cautioned that they not buy into a concept that's not real and expressed concern that recreating the Exchange Building sounds good but he cautioned that there would be disappointment. Mr. Urbano explained the reasoning for his statement and described his experience in creating Captain's Row. He commented that the plan for the Exchange Building is fabulous but he does not believe that that building can be built, due to the specs. He suggested that the HAHT talk to the Planning Board before more money is given. Mr. Urbano also suggested that the HAHT take the renderings to an architect, with the area guidelines and ask to develop something that fits into the guide lines and the premise under which that whole area became a district. He noted the benefits to everyone communicating to avoid another situation like the Baptist Church. Mr. Urbano commented on the scenario that happened with the Church. He stated that he is advocating 100% for the project, housing as part of the project and mixed use as part of the project. What he is not advocating for is a 13 year project, noting that changing zoning is not easy. He noted that they gave an opportunity for permitting and plans for a concept and commented that to him, that is wrong. He commented that the Town doesn't invest in concepts. His hope is that the HAHT, at least has approval of the Planning Board or has plans that fit into an area, before moving forward. He offered his solution which its to make sure the building fits the regulations before any movement is made forward. He thanked everyone for their time.

March 12, 2025

III. NEW BUSINESS:

A. Approve Minutes of February 12, 2025

Mr. Spencer moved to approve the Minutes of February 12, 2025 as written and to include as an addendum to the Minutes, the application that was submitted by John Carey for West Harwich Square. Seconded by Ms. Kavanagh.

Mr. Ballantine noted that included in the Minutes was the approval of \$150,000 for the West Harwich Square. They had received an invoice for \$150,000 last week which he asked Meghan Green to pay.

Vote: 4:0 in favor. Motion carried.

IV. OLD BUSINESS:

A. Discuss HAHT parcels - Identify those for potential sale - Bob Spencer & Brendan Lowney

Mr. Ballantine noted that Mr. Spencer and Mr. Lowney have been working on the HAHT's parcels that are potentially for sale.

Mr. Spencer noted that the HAHT has made progress with affordable housing over the last two years by using cash and that the cash has come out of the Trust's reserves. He suggested that the sale of some of the Trust's properties would replenish those reserves. Mr. Spencer proposed that they consider marketing 0 Oak Street, 0 Depot Street and 0 Depot Road. He suggested using the Assessor's valuation for the basis of sales.

Mr. Ballantine commented that there has been a question of whether they have to hire an appraiser or if they can use the Town assessment. The Town Administrator has responded that the Trust can use one or the other but not both. Mr. Ballantine commented that he would like to take the properties one at a time and start with Oak Street. He would like to be confident that it makes more sense to sell than to build on the parcels.

Mr. Lowney suggested that they go through 0 Oak Street, 0 Depot Street and 0 Depot Road. He noted that 0 Depot Road is property with restrictions from Article 61 Amendment from the 2019 Town Meeting. It is a Zone 2 which means 10,000 square feet per bedroom, and the assessed value a little over \$1.9 million. He noted that each lot has its own assessed value. He noted that J1 and J2 potentially could be buildable but the new buyer would have to vet that and go to Conservation and Health. There is no site plan for that property. Mr. Lowney noted that J2 is 4.59 acres and J1 is 1.41 and suggested that they sell J1, J2 and J3 at the same time.

Mr. Spencer stated for the record that 40% of this piece of property is in Zone 2 which is a well zone.

Mr. Lowney noted that the southern most property is in the Mass Endangered Species Program jurisdiction. With the Amendment restrictions, about 80% of J3 is eliminated and not buildable.

Mr. Ballantine noted that economically, the HAHT couldn't do affordable housing with one house.

Ms. Kavanagh confirmed that J1 and J2 equal 6 acres. Her concern about using the Assessor's valuation is that there are not many places that are 6 acres and she questioned if an appraisal would make more sense for that property.

Mr. Lowney commented that without a 40B, this property is meant for a single family home. He commented that he was unsure if the assessment takes the restriction into account.

Trust members discussed to pros and cons to getting an appraisal versus using the town's assessment.

Ms. Kavanagh suggested getting an appraisal for the properties as opposed to using the Assessor's value noting the uniqueness and size of the property. They wouldn't want to pay for a site plan but could get comps or some type of value on a property as large.

Mr. Ballantine noted that the cost of an appraisal has been \$5,000-\$6,000 in the past.

Mr. Spencer suggested getting a price for an appraisal.

Elisabeth Harder of Harwich Center asked how much of the property is buildable.

Mr. Lowney responded that the only information is what MHP did on that evaluation initially. He commented that the upper acres look like they're buildable but they'd still have to run through that process.

Ms. Harder commented that it is not a one home lot, noted that there is much that can be done in 6 acres and she gave examples. She suggested that if 6 acres is buildable, the Trust shouldn't sell it and may be able to work a deal with Conservation on a lot that is under their control but not technically Conservation.

Mr. Ballantine noted that not all 6 acres is buildable and there are too many restrictions for Affordable Housing. If the Trust gets big money, there are other things they can do.

Ms. Harder asked that the Trust not agree that the property will definitely be sold until they get the final appraisal.

Mr. Lowney commented that as long as it is under \$10,000 for the appraisal, it would be a reasonable amount to spend.

Ms. Kavanagh offered to follow up with the Town Administrator and get information about the process to get an appraiser. She suggested that they not take any action until she brings that information back to the Trust.

Mr. Lowney referred to 0 Oak Street and noted that Coastal Engineering had done a site plan. It is ready for a Request for Proposal (RFP) or an appraisal to sell. He showed a map of the property and the specific small piece of property where something could be built. It is not big enough to build affordable housing.

Mr. Spencer noted that the assessed value of that lot is \$555,500.

Ms. Kavanagh suggested that they go by the assessment but also state that they will accept nothing less than a specific amount.

Mr. Spencer asked, if they use the Assessor's value, can they can still entertain offers that are less?

Ms. Kavanagh commented that she would follow up with Mr. Powers on that question. She commented that at some point they need to be careful not to sell off all the land. She commented that the Town may need these properties in the future and they don't know why yet. She suggested that they be mindful and possibly use a restriction of creating some Conservation property as a tradeoff. She noted that if they are giving up that kind of property for that low a price, they should ask what the Town is getting out of that.

Mr. Lowney commented that he doesn't know how many square feet is necessary to have a buildable portion of land. He noted what the former Town Planner had been working on.

Ms. Kavanagh offered to speak with the Town Administrator noting that normally buildable upland is contiguous.

Mr. Lowney suggested they continue the discussion on this property until the next meeting when they will have more information.

Mr. Lowney noted that 0 Depot Street is assessed at \$201,300, it is 1+ acre, in Zone 2 with a 60' no disturb and has a massive vernal pool in the middle. It's not as big a property and has setbacks and the vernal pool.

Mr. Spencer commented that the buildable property is the equivalent of one affordable housing unit. He also commented that with cash in their pockets to purchase affordable units, that can happen in a two year timespan as opposed to a five year timespan.

Brianna Powell, Housing Advocate was online and commented that she would be happy to work with Mr. Powers and Ms. Eldredge on any Requests for Quotes (RFQ) for the appraisal.

Ms. Kavanagh questioned which zone the property is in.

Mr. Lowney noted that Depot Road is either RR or RM.

Ms. Kavanagh commented that Depot Street is RL. She explained that the zoning determines lot coverage. She noted that RL is 25, 20 and 20 which is limiting. She suggested that they ask

Christine Flynn, Town Planner, for more information because the markings on the map are unclear. She noted that she will follow-up with Ms. Flynn and Ms. Powell and send the information to the Trust members.

B. Status discussion regarding 265 Sisson Road - Bob Spencer

Mr. Spencer noted regarding 265 Sisson Road, he had discussions with Christine Flynn about the property and how the HAHT might move forward. He noted the list of specific suggestions and guidance that Ms. Flynn offered. Mr. Spencer noted that soon, they should engage with the Junior Theater and the Historic Commission. He emphasized the importance of the project and the impact it will have. He noted that they have a concept plan.

Mr. Ballantine suggested that they invite someone from the Junior Theater and a representative from the Historical Commission to a meeting. He also noted that there were questions about the septic and that it wasn't clear on the diagram they had seen.

Mr. Spencer noted that the Health Department record show that a new 1,000 galloon septic tank was installed but he was unsure if that qualifies as a title 5.

Ms. Kavanagh asked if there had ever been an apartment affiliated with the building. She commented that the smaller septic was probably because there were no bedrooms.

Mr. Ballantine noted that there is septic noted on the concept plan.

Ms. Harder asked if this property was ever offered for sale to whoever owns Country Meadow because the properties are connected.

C. Rental assistance - All

Mr. Ballantine noted that CPC has approved the HAHTs Article for \$500,000 at Town Meeting but they did not approve the rental assistance funding for \$250,000. He noted that the CPCs argument was that the HAHT didn't have enough experience with it to go ahead. He noted how many families the rental assistance program has helped and that they will be able to help 2 more families. He commented that he was surprised that there weren't more people requesting funding. He commented that people don't know about it.

Ms. Kavanagh agreed. She had mentioned it to people who hadn't know about it.

Mr. Ballantine noted that advertising is the responsibility of the Homeless Prevention Council. He also noted that they could disperse funds if they knew of an activity that needed help.

Ms. Kavanagh noted that she learned of a plan that pays homeowners who would normally rent their property seasonally, to not rent them seasonally and rent them year round. She is going to follow up on that from the Select Board point of view and get more information.

D. Town Meeting Article - Larry Ballantine

Mr. Ballantine noted that he was hoping that the money from the short term rentals would be transferred from the Special Purpose Fund to the Trust. He noted that the Select Board approved the transfer of \$1.5 million. Mr. Ballantine noted that the purpose of the short term rental tax was for 25% to go to low to moderate income. He noted that a document he had forwarded from Meghan Green shows \$2.1million in the Special Purpose Fund as being part of the Trust's balance. He commented that with that, the Trust balance will be reduced and he is assuming they will get the other eventually. Mr. Ballantine noted that he and Ms. Kavanagh will be meeting with Mr. Powers to discuss what the Trust can do outside of the Affordable restrictions to help different sources of funding for attainable housing.

Mr. Spencer asked if that was the purview of the Housing Committee.

Ms. Harder, Chair of the Housing Committee noted a funding idea regarding attainable housing which she described. She also noted that there are a lot of things in the new Homes Act that will help with Attainable Housing. She also commented that there were other things they can't access because Harwich doesn't have an approved Housing Production Plan (HPP).

Ms. Kavanagh noted that the Select Board approved the HPP.

Mr. Ballantine commented that a lot of the HPP is aspirational.

Ms. Harden commented on the issues she has with the HPP regarding housing.

Mr. Spences noted that the Housing Committee is advisory to the Select Board and asked why the HAHT is involved in attainable housing and why the information Ms. Harder just shared isn't being presented to the Select Board.

Ms. Harder replied that there was no point to it until the Select Board passed the Housing Production Plan.

Mr. Spencer stated that he does not believe that attainable housing is the HAHT's purview.

Ms. Harder commented that she discusses it here because people listen to the Trust.

Mr. Lowney suggested a joint meeting with the HAHT and the Housing Committee to have further discussion.

Mr. Ballantine noted that attainable housing teed up for the HAHT because of the Warrant Article that Ed McManus put in last spring's meeting trying to raise 200% which Mr. Ballantine objected to.

Ms. Kavanagh noted that there had been discussion about changing the language in the Trust to make it more expansive but that goes back to attainable and whether or not they will see anything action on that.

Mr. Lowney commented that that is why he want t0 give the presentation about the AMI, the Trust documents and the Regional Housing Strategy that the Cape Cod Commission put out where the word attainable came out. He explained what Attainable is to the Cape Cod Commission.

E. Community Preservation Committee (CPC) Update - Larry Ballantine

V. NEXT MEETING: April 9, 2025

VI. ADJOURN:

Mr. Spencer moved to adjourn. Seconded by Ms. Kavanagh.

Vote: 4:0 in favor. Motion carried. Meeting adjourned.

Respectfully submitted,

Judi Moldstad
Board Secretary

March 12, 2025