



Town of Barnstable COMMUNITY PRESERVATION COMMITTEE

www.town.barnstable.ma.us/CommunityPreservation
Email: CommunityPreservationCommittee@town.barnstable.ma.us



Committee Members

Lindsey B. Counsell – Chair • Laura F. Shufelt – Vice Chair • Marilyn Fifield – Historical Commission • Terry Duenas – At Large • Sue Rohrbach – At Large
Fred LaSelva – Planning Board • Tom Lee – Conservation Commission • Richard Sawyer – Recreation Commission • Deborah Converse – Housing Authority
Britt Beedenbender – Town Council Liaison

Monday, May 21, 2018
Regular Public Hearing – APPROVED Minutes
367 Main Street, Hyannis, MA - 2nd Floor – Hearing Room
5:30 PM

Lindsey Counsell – Chair	Present
Laura Shufelt – Vice Chair	Present
Marilyn Fifield – Clerk	Absent
Terry Duenas	Present
Tom Lee	Present
Sue Rohrbach	Present
Richard Sawyer	Present
Deborah Converse	Present
Fred LaSelva	Present
Britt Beedenbender	Absent

Call to Order

With a quorum present, Chair Lindsey Counsell called the meeting to order at 5:30 pm. Chair Counsell then read into record: "Please note that tonight's meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s.20, I must inquire whether anyone is taping this meeting and to please make their presence known." No one present was recording the meeting.

Minutes

A motion was made by Richard Sawyer and seconded by Tom Lee to approve the draft Community Preservation Committee meeting minutes of April 30, 2018, as submitted. Motion passed unanimously with Sue Rohrbach and Deb Converse abstaining.

Letters of Intent

None received.

Applications

Application from FORWARD seeking \$250,000 in CPA Community Housing funds to construct two purpose-built homes for 8 adults with Autism on 5 acres of town-owned land in Dennis located at 131 Hokum Rock Road. Cape Abilities will operate the facility and provide 24/7 onsite services for the residents. This \$250,000 CPA funding request represents a portion of the total \$2,004,258 budget with \$1,600,000 already committed by Dennis CPC, 2 Mass grants, and private giving.

Robert Brennan, President of CapeBuilt Development and Co-Chairman of the Building Committee for FORWARD, and Kathy Ohman, President of FORWARD, narrated a PowerPoint presentation for the Committee:

HISTORY

- FORWARD at the Rock began in 2013 when the Town of Dennis identified town land for affordable housing for adults with Autism. In early 2014, FORWARD was incorporated and received designation as a 501 (C) 3 nonprofit organization for the purpose of addressing the need for affordable housing.
- During meetings with HAC and Cape Abilities, FORWARD received encouragement and support for the affordable housing project. In October 2014, the Town of Dennis voted to release land for the purpose of building affordable housing for adults with autism. HAC/FORWARD was subsequently awarded a 99-year lease on the property located at Hokum Rock Road, East Dennis.
- After successful fundraising, FORWARD responded to the Town of Dennis RFP, developed a plan for Cape Abilities to provide services, and entered a formal partnership with HAC.
- After application to Town of Dennis CPC, the project "FORWARD at the Rock" was awarded \$500,000 in Dennis CPA Housing funds.
- The DDS Southeastern Regional Director approved FORWARD's plans, and they were certified as Acceptable for Priority 1 referrals.
- Fundraising continues, and Lt. Governor Karen Polito announced on May 15, 2018, the awarding of \$1,000,000 in State funding for the FORWARD project.

PROJECT

- Because the project has received zoning and Old King's Highway Historic District approval, HAC is not required to be the developer.
- Conceptual Layout, Architectural Site, Floor, and Elevation Plans were reviewed.
- The construction budget with a total project and reserve cost of \$2,504,258 was reviewed.
- Total confirmed and projected matching funds amount to \$1,800,000, apart from the \$250,000 requested from Barnstable CPC.
- FORWARD has contracted with Cape Abilities to provide services.
- Building plans and specifications are to DDS Standards and state-of-the-art best practices for housing for adults with autism.

Mr. Brennan explained that placement of residents is made by DDS. He said that the population of the town of Barnstable represents more than 20% of Cape Cod's, while that of the town of Dennis represents 6.6% of the population on Cape Cod, and the Town of Dennis has contributed land worth \$500,000 plus \$500,000 in CPA funds. Based upon the total budget, he said the Barnstable CPC funding request of \$250,000 represents only 12.5% (1/8th or one bed out of the eight proposed). Based upon DDS placement experience, and the fact that the population is not evenly distributed across the Cape, Mr. Brennan projected that half of the beds would be filled by Barnstable residents.

Laura Shufelt inquired about the \$500,000 permanent maintenance and replacement fund contained in the development budget and stated that she felt that this amount was

excessive for new construction. She said that with no operating budget provided, she could not see cash flow, but that with DDS approval and certification, there is usually debt. She noted that Boston Community Capital indicated they would provide \$200,000, but that is not included in the development budget, and she said the \$500,000 maintenance and replacement fund cannot be funded with public funds because it is not a dedicated cost. Further, she said that including the \$200,000 that BCC will provide as debt indicates that FORWARD is over the finish line and may not need Barnstable CPC funds, but Mr. Brennan replied that they are still short of funds.

Richard Sawyer inquired if the number of Cape Cod adults diagnosed with autism is known, and Ms. Ohman replied that no one can answer that question as there is no detection method for autism. Mr. Brennan added that occurrence can be as high as 10% within the general population. Ms. Ohman explained that DDS refers residents to Cape Abilities who are from the Cape Cod catchment area, with DDS placement in this project coming from Barnstable County. Mr. Brennan confirmed that the projected number coming from Barnstable is assumed and that there is no preference or guarantees for Dennis residents because the project is located in Dennis.

Mr. Sawyer inquired if the permanent maintenance and replacement cost has already been raised, and Ms. Ohman replied that some of these costs are included in the \$1M grant that was received and some will be included in a budget that is worked out by DDS with Cape Abilities for each of the houses, based upon the needs of each resident. Ms. Ohman said that Yarmouth, Mashpee and Brewster CPCs have also been approached, and an application to Yarmouth CPC is anticipated in late summer. Mr. Sawyer then asked the CPC if there has been a precedent for a CPA-funded project located in another town, and Chair Counsell reminded CPC of the land-acquisition application for land located in Mashpee in 2008.

Sue Rohrbach inquired about the operating budget and if rooms are rented or if rent is supported by public funds. Ms. Ohman replied that this is affordable housing, so each of the individuals is low-income and receiving Social Security, with 75% of each individual's Social Security committed to Cape Abilities for rent. She added that DDS also works with Cape Abilities to develop and fund the rest of the budget that is not covered by Social Security.

Fred LaSelva asked how long the State grants are viable, and Mr. Brennan promised to provide that answer. Mr. LaSelva said that an operating budget is needed to review the project and that future development is not under consideration. He added that the maintenance and replacement fund should not be a part of the budget, and he requested that the funds from Dennis CPC be provided prior to asking Barnstable CPC for funds to avoid an unfair leverage situation. Mr. LaSelva noted that some of the pricing in the construction budget has risen drastically, and he questioned if the costs are still accurate. He also requested clarification of the 20% number of the population located in Barnstable by age. He also requested if statistics were available through the Barnstable School Department as to how many children are presently identified as autistic, and Mr. Brennan agreed to provide updated information. Regarding the construction budget, Mr. Brennan indicated that the project will be built as modular construction in an off-Cape factory, in order to control costs, with the low construction numbers reflecting the savings. Regarding the population numbers, he said the way schools provide services

is by an evaluation of the child and creation of a plan to meet needs, and he felt the statistics should be available in the School Department for Special Education Services.

Deb Converse confirmed that Dennis CPC has approved/committed \$500,000 but not released the funds, as Ms. Ohman explained that the commitment of the funds was voted at Town Meeting, with release of the funds contingent upon completion of fundraising. Mr. LaSelva agreed with Laura Shufelt that it appears that FORWARD already has the required funding if the \$500,000 maintenance and replacement item is removed from the budget.

Terry Duenas said he felt FORWARD has done its due diligence in the construction budget and analysis of Cape demographics and identification of the percentage of usage that the Town of Barnstable might have in the project, so he proposed that CPC recommend the application's funding to the Town Council.

Chair Counsell responded that the Legal Department has asked for additional information before a vote: Information and documentation on the affordability of the units and whether they will be low-income (80% or less AMI) or moderate-income (80-100% AMI), as well as information regarding the commitment from Dennis CPC and any contingencies. Chair Counsell also reminded that the CPC questions will require answers at the next meeting, as well.

Laura Shufelt noted that an operating budget is missing and necessary, and she also found another \$60k in capitalized reserves: \$50k for replacement and \$10k for operating, stating that operating reserves are not needed with a DDS contract and that the development consultant budget is almost 3 times what it should be, based upon usual standards.

Richard Sawyer inquired why CPC needs to look at the operating budget when CPC is not contributing to funding the operating budget but only to the construction budget. Laura Shufelt explained that the operating budget shows how much debt can be supported, and while no debt is shown in the budget, they should be at least able to support the \$200K that BCC committed, with the \$200k BCC funds included in the development budget as a permanent mortgage for development. With a mortgage, she said the cash flow to support the payment of the mortgage should be shown in the operating budget, with the bridge mortgage paid off when they get the capital funding.

Deb Converse pointed out that including the projected additional matching funds not yet committed could give the appearance that Barnstable CPC funds are not needed. Mr. Brennan said that coming to Barnstable is part of FORWARD's fundraising, as are the State grants, but the families that have a vested interest in the project are in the least capable position to provide financial support, as families are taxed each year for the additional services provided for their children.

Fred LaSelva commended FORWARD for bringing a non-profit affordable housing project that is located outside of Hyannis or the town of Barnstable, and Rob Brennan acknowledged that there has been concern for the number of non-profit projects located in Hyannis, noting that this property is located in Dennis and will be tax-exempt there rather than in Hyannis. Sue Rohrbach said that the project supports an important need,

is affordable and is good because we have wanted other towns to join in taking responsibility .

It was agreed that FORWARD would come back to the June 25, 2018, CPC meeting with the information CPC and the Legal Dept. requested.

Updates/Discussion:

- Updates and changes proposed for the CPC Handbook should be submitted for review/vote at the June 25, 2018, meeting.
- The CPC Annual meeting will be held June 25, 2018.
- Richard Sawyer met with Finance Director Mark Milne to review and discuss the Community Preservation Fund balances, and he proposed closing several inactive accounts. After discussion, CPC agreed to close two accounts.

Motion was made by Richard Sawyer and seconded by Deb Converse to close TC 2019-015 Old Town Hall Restoration in the amount of \$504.50 and return funds to the Historic Preservation fund; and TC 2017-049 Barnstable Skate Park Restoration in the amount of \$304.87, returning funds to the Open Space and Recreation fund. Motion passed with a unanimous vote.

Adjournment

A motion was made by Richard Sawyer and seconded by Tom Lee to adjourn at 6:41 p.m. Unanimous vote to adjourn.

Next Regularly Scheduled CPC Meeting – June 25, 2018

List of documents/exhibits used by the Committee at the meeting

- Exhibit #1: Draft CPC Meeting Minutes – April 30, 2018
- Exhibit #2: Application & Supporting documents from FORWARD – Community Housing 131 Hokum Rock Rd, Dennis
- Exhibit #3: CPC Financial Reports as of April 30, 2018 prepared by Mark Milne.
- Exhibit #4: Power Point Presentation “FORWARD at the Rock”

Respectfully submitted,
Ellen M. Swiniarski
Administrative Assistant
Community Preservation Committee
Edited by CPC Clerk Marilyn Fifield

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Community Preservation office located at 367 Main Street, Hyannis, MA