

Marshfield Community Preservation Committee

Open Meeting Minutes

December 9, 2015

CPC Members in Attendance: Tim Russo, Tom Whalen, Mike Bilas, Kerry Richardson, Bert O'Donnell, Mike Baird. Absent: Kevin Cantwell, Michele Campion.

Others in Attendance: Karen O'Donnell, Open Space, Jennifer Russell, Marshfield Housing Authority, Shelly Goehring, Mass. Affordable Housing Alliance, Greg Guimond, Town Planner.

MOTION: Tim Russo made a motion to open the meeting at 7:08 p.m. Second by Tom Whalen.

MOTION: Bert O'Donnell made a motion to accept the Open Meeting Minutes of November 12, 2015. Mike Bilas second. All approved. Absent: Kevin Cantwell, Michele Campion.

Affordable Housing Discussion

- Mike Baird gave an overview of the Marshfield Housing Partnership's Marshfield Housing Opportunity Purchase Program (MHOPP) which started in 2008.
- Mike Baird said MHOPP has completed the purchase of 19 affordable homes and a 20th is happening soon.
- Mike Baird said he does feel the program is a success but the marketing of the program needs to be improved and the new flood maps will be challenging to work around.
- Mike Baird said some of the challenges he sees for affordable housing in Marshfield include the limited number of buildings available to be made into multi-unit dwellings. He said the town is apprehensive about large scale units, and the town does not allow attached dwellings.
- Town Planner Greg Guimond said there are also very few large tracts of land remaining in town that would be suitable for development of affordable housing. Greg Guimond said the Board of Selectmen and Town Administrator are not in favor of developing housing in the commercial areas.
- Greg Guimond said an inclusionary bylaw would allow good mixed use housing and business in the downtown area.
- Greg Guimond said there are currently developer plans for the west end of Commerce Drive for garden style rental apartments.
- Kerry Richardson said MHP has discussed using some funds for the creation of new housing, including \$300,000 from Welch Companies and funding from Eames Brook.
- Mike Baird said the only thing that makes sense is using tax funds for lower density projects in that area.

- Mike Baird said 40B developments allow for 25% of units to be affordable, and if a 40B project is approved, 100% of the units count toward the 10% affordable housing quote. Mike Baird said he prefers a smaller project of about 6-10 units.
- Tom Whalen said of the four stated goals of the MHP, only two are being done and that reaching the 10% set aside has no real meaning for him. Tom Whalen said he is not interested in reaching a quota he is more interested in finding housing for everyone that needs it. He said there are many residents in town between the 80-100% of median income who need assistance.
- Mike Baird said the Board of Selectmen have charged the MHP with hitting the 10% threshold and by pursuing that goal, they are hitting all four goals discussed.
- Tom Whalen said the CPA Act calls for creating affordable housing for up to 100% of median income.
- Shelly Goerhing said Tom Whalen is correct, CPA does allow up to 100% and some communities are starting to focus on the residents who meet the 80-100% median income but the majority of communities use their affordable housing funds to benefit those at the 80% level of median income. She said it depends on the values in your community.
- Shelly Goerhing said the DHCD only recognizes units which benefit individuals at the 80% median income level to meet the 10% threshold.
- Kerry Richardson said the MHOPP has only had one town employee apply for the program.
- Kerry Richardson asked how the Board of Selectmen expect Marshfield to hit the 10% level without a 40B development?
- Greg Guimond said going very slowly and nibbling away at it is the way the town wants to go.
- Greg Guimond said there is no minimum size house in town and all residences are valued the same way. He also said accessory units are not currently allowed in Marshfield.
- Tom Whalen said the Welch Company funds have been available for 7-8 years and MHP has asked CPC for funding instead, why haven't they asked the Housing Authority?
- Jennifer Russell, Housing Authority said they did use \$50,000 of the funds toward a Habitat for Humanity project, and \$10,000 for a housing study.
- Kerry Richardson said he encouraged MHP to go to CPC as the housing market was perfect at the time in 2013 and a large number of conversions could be done. They did not take the funds at the Housing Authority into consideration at the time.
- Mike Baird said that as a result of using CPC funds the MHOPP program added 7 units to its inventory and funding is still available for a larger scale project.

Mass. Affordable Housing Alliance/Community Preservation Coalition

- Shelly Goehring of the Mass. Affordable Housing Alliance gave an overview of their role focusing on education for first time homebuyers, organizing low and moderate income projects, and CPA funding, or how CPA communities use their affordable housing funds.
- Shelly Goehring said they are building more support for affordable housing but you can only rehab or restore an affordable housing unit with CPA funds if it was acquired with CPA funds.

- Shelly Goehring said nonprofits can manage a property and there are lots of different plans in place. The planning tools Shelly Goehring recommends a town use include: Housing Needs Assessment, Housing Production Plan, Municipal Affordable Housing Trust (MAHT) ACTION Plan, a city or town master plan, and a CPC plan.
- Shelly Goehring said that under CPA seniors are age 60 plus, and currently, there is a dire need for family houses.
- Shelly Goehring said in Medway they established an Affordable Housing Trust that has several positions on it including a banker, a realtor, a real estate attorney, and a tenant.
- Jennifer Russell said that Marshfield's Housing Authority also has a tenant on the board which has been very beneficial. Having a tenant on Housing Authorities is required by Massachusetts law.
- Kerry Richardson said that an advantage of a trust is that once it is funded you do not have to get town meeting approval for projects.
- Shelly Goehring said Medway's MAHT goals include: retain and create units for low income, fund production of housing units, help and promote other local affordable housing efforts, help homeowners stay in homes, and diversity trust fund revenue.
- Tim Russo asked Shelly Goehring for examples of unsuccessful Affordable Housing trusts.
- Shelly Goehring said the unsuccessful trusts have members who do not understand what they are supposed to be doing, some committees won't fund the trusts, and some communities have appointed anti-affordable housing trustees to the boards.
- Kerry Richardson said Marshfield voted down establishing a trust about 7-8 years ago.
- Shelly Goehring said there are ways to create accountability for a trust and all entities should be working off the same ideas.
- Tom Whalen asked if any other communities are using a program similar to MHOPP. Shelly said Sudbury is doing it and many communities are doing similar buy down programs.
- Tom Whalen asked what program seems to work best for affordable housing?
- Shelly Goehring said reusing existing buildings, especially if they are vacant, is less controversial in most communities. Shelly Goehring said communities use buy down program with similar numbers as Marshfield and other communities face the same struggles.
- Kerry Richardson said currently MHOPP grants \$117,000 to a family which is 35% of the total cost of the home. He asked how the 30-40% compares to other towns.
- Shelly Goehring said every community is different but right now Eastham is doing a project with a private developer that will designate 90% of the units as affordable. The CPA in Eastham has committed \$800,000 in funds to assist with the project because of the benefit to the community.
- Shelly Goehring said the cost to build a unit is about \$400,000 so conversions are preferred in communities. Shelly Goehring said that programs which seek to provide funds to repair specific homes that are not affordable are not a proper use of CPC funds.
- Shelly Goehring having an updated housing production plan and housing coordinator are beneficial to the community. Housing Coordinators provide advocacy, staffing monitoring, and programs.

- Shelly Goehring said rental subsidies are another way to help individuals.
- Shelly Goehring discussed how the Federal Fair Housing Act works with the Massachusetts Anti-Discrimination Law.
- Shelly Goehring said the following must be considered with regard to Fair Housing and Discriminatory Effect Rule: Is it likely that policy or practice will negatively impact members of a protected class? Is the policy or practice necessary to achieve substantial, legitimate, non-discriminatory interests? Is there a less discriminatory alternative that would meet the same interests?
- Shelly Goehring said the following Fair Housing scenarios must also be considered on their merit: local plans or zoning bylaws prioritize studio and one bedroom units, restricting the number of bedrooms by unit rather than by development or lot; when a town is 98% white and decides to advertise new affordable housing units with flyers left locally at the the local library, community center and Town Hall; Planning or zoning approval processes mandate or prioritize townhouses.
- Shelly Goehring said there are also considerations when creating Municipal Affordable Housing Trusts (MAHT).
 - Benefits: More nimble in real estate market than CPC; designated funds for affordable housing, trustees can be additional voices for affordable housing.
 - Challenges: could duplicate existing local capacity, another layer or board to staff, need trustees with expertise to be effective.
- Shelly Goehring said MAHTs can do the following: Fund affordable housing development, rehab existing homes to convert to affordable housing, increase affordability in new developments, develop surplus municipal land or buildings, and preserve expiring use.
- Shelly Goehring said some concerns with MAHT are: no “support element” to create and preserve affordable housing; some programs may not comply since a restriction is generally needed to qualify as create or preserve; powers must be trusted that they can enter into a grant agreement (must come from legislative body); working on legal and/or legislative answers.
- Shelly Goehring offers the following suggestions for working with MAHT: Legislative body should give the Trust the ability to enter into grant agreements, and CPA must designate funds to the Trust with a grant agreement that specifies funds are to be used for CPA-eligible activities.

MOTION: Tim Russo made a motion to adjourn the Open Meeting at 9:56 p.m. Tom Whalen second. All in favor. Meeting adjourned.

Respectfully submitted,

Carolyn Shanley, CPC Administrator