



Town of Wellfleet
Wellfleet Affordable Housing Trust
Board of Trustees
Minutes of March 15, 2021

Present: Elaine McIlroy, Kathleen Nagle, Sharon Rule-Agger, Harry Sarkis Terkanian, Jim Hood, and Gary Sorkin. Absent: Mike DeVasto.

The meeting was called to order at 5:32 PM by Mr. Terkanian.

1. Announcements and public comment. Mr. Terkanian announced that Massachusetts Housing Partnership (MHP) has awarded a technical assistance grant to the Trust.
2. Status of other housing related activities. Mr. Terkanian reported attendance of several trustees at the Community Development Partnership (CDP) seminar on requests for proposals (RFP). He also announced several upcoming housing related meetings and events. Ms. McIlroy reported that the Selectboard has approved the final draft of the 95 Lawrence Road RFP. Mr. Sorkin reported that outstanding issues remain to be resolved and the goal is to actually issue the RFP by the end of March. He also reported that the Wastewater Committee plans a town meeting article seeking funding for wastewater permitting related to the 95 Lawrence Road project. The Wastewater Committee proposal does not include the cost of construction, but there is a planned joint meeting between the Wastewater Committee and Selectboard to discuss the issue of construction funding. He also reported that applications for the buydown program has closed and the Housing Authority anticipates a lottery to select one or more applicants. Ms. Nagle reported that the least expensive single family listing in Wellfleet is offered at \$899,000 which will be a reach for buydown program applicants. Ms. McIlroy noted that there are four qualified applicants. Mr. Sorkin raised the possibility of Trust funding of an additional buydown applicant. He also reported a federal block grant jointly with Brewster and Dennis for rehabbing existing housing. This week's joint meeting of the Housing Authority (HA) and Local Housing Partnership (LHP) later this week to work on the proposed Accessory Dwelling Unit zoning bylaw proposal. MR. Hood noted that the Water Commissioners are beginning the process of constructing a water main to service the 95 Lawrence Road project and expect to issue a RFP for this work by early summer.
3. Review of Draft housing trust bylaw and declaration of trust.
 - A. Bylaw review. Mr. Terkanian conducted a paragraph by paragraph review of the draft bylaw. As part of the review he reported on draft special legislation to rescind the special act establishing the old housing trust. He also recommended that the trust purposes and powers be enlarged to include both "support" of housing and extending trust authority to "up to 120% of Area Median Income (AMI)." On the issue of trustee appointments he recommended removing the criteria for appointment including allowing for the possibility of appointing non residents. The

consensus was to require that a majority of trustees be Wellfleet residents. The trustees agreed that required meetings should be quarterly with other meetings at the call of the chair or on request of two trustees. The trustees agreed to add a specific power to enter into grant agreements with the local Community Preservation Committee (CPC). The last comment was to extend the due date for the annual report to late January. Mr. Sorkin asked whether the Trust has to conduct an audit separate from the Town audit. Mr. Terkanian added the question as comment to the draft.

- B. Declaration of Trust review. Mr. Terkanian conducted a section by section review of the draft declaration of trust. The bylaw comments on trust purposes were added to the declaration of trust draft. Description of support extended to “workforce housing” revised to read “up to 120% of AMI.” On article 3rd, Tenure of Trustees, remove all qualifications and remove the staggered initial appointment requirement as moot. On Article 4, Meetings same comment as the bylaw including allowing the chair or any two trustees to call a special meeting. On the powers section Mr. Terkanian noted concern about provisions requiring Selectboard approval of expenditures in excess of \$50,000 as not present in the existing housing trust or in section 55C and that it effectively defeats the purpose of the trust; the trustees agreed that the provision should be removed in all places where it appears. On Article 8th, Custodian of Funds, remove the requirement of approval by the Selectboard all transfers as inconsistent with the purpose of the Trust and add the same question about the annual audit. On Article 15th Mr. Terkanian suggested adding a provision authorizing the Town Clerk to certify as to the names of currently appointed and qualified trustees. Mr. Hood asked if there are any other town bodies with authority to acquire or dispose of real estate. Mr. Terkanian stated that he was unaware of any specific authority.
- 4. Status of transfer of affordable housing assets to the Trust. Mr. Terkanian had nothing new to report.
- 5. Housing Action Plan, Coordination with the Housing Authority (HA) and Local Housing Partnership (LHP) and Trust Mission Statement. Mr. Terkanian raised the issue of who should be appointed to the initial scoping committee to meet with the MHP to plan out implementing the technical assistance grant. Ms. McIlroy noted the perspective of individuals who have not previously been involved with housing would be valuable. She also suggested a CDP representative also participate. Mr. Terkanian will get back to the MHP on membership of this committee and suggested not more than three trustees for this committee.
- 6. Approval of Donation Solicitation “Housing Angels”. Nothing requiring trustee action. Ms. Rule-Agger noted that Daren Wotherspoon has agreed to provide graphic design services.
- 7. Annual Town Meeting Items.
 - A. Allocation of short term rental tax receipts to the Trust. Ms. McIlroy asked about the status. Mr. Terkanian suggested that there are two parts: an advocacy piece; and a document for town meeting approval. Mr. Sorkin noted that the Wastewater Committee is also interested in these receipts. Ms. Nagle noted that press reports

that suggest that the receipts will be substantial. Mr. Sorkin noted that the legislation has a provision for allocating part of the receipts for wastewater. Ms. McIlroy said that it would be prudent to raise this issue now. Mr. Terkanian noted that there have been other town votes to allocate certain receipts to specific funds. Mr. Sorkin suggested that we present the issue to the Selectboard. Discussion ensued on what portion of the receipts should go toward housing. After discussion the consensus of trustees was to ask for 80% of the receipts. It was moved by Mr. Terkanian and seconded by Ms. Nagle and after discussion unanimously voted by roll call vote (6 – 0) to “present a request to the selectboard to allocate 80% of the short term rental tax to the affordable housing trust for the support of housing.”

- B. Accessory Dwelling Bylaw. There will be a joint meeting between the HA and LHP to work toward settling the language on March 18th. Mr. Sorkin asked whether a petitioned article or a Selectboard supported article is preferable. Mr. Terkanian was of the opinion that once it gets on the town meeting warrant the route it took to get there did not matter.
8. Land Acquisition Strategy. Discussion of possible multifamily properties available for purchase. Apparently none are currently being offered. No action taken, postpone to a future meeting.
 9. Ms. Nagle asked about a possible donation to the Town for affordable housing and lack of communication from the Town. Mr. Terkanian agreed to follow up with the town accountant and with the attorney settling the estate.
 10. Future meeting schedule. The next meeting is tentatively scheduled for March 29, 2021. Time to be determined based on Mr. DeVasto’s availability, possibly at 5:30 PM. Ms. Rule-Agger noted that if the Trust wishes to make a recommendation on the accessory dwelling bylaw we should meet prior to April 6th.
 11. Approval of minutes of February 22, 2021. Mr. Terkanian noted correction to paragraph 7 removing Ms. Rule-Agger’s name as she did not participate on that item also “transferred” was changed to “approved” with respect to Community Preservation Act funding. It was moved by Ms. Nagle seconded by Mr. Sorkin and after discussion unanimously voted (6 – 0) by roll call vote to approve the minutes of the February 22, 2021 meeting as corrected.
 12. Marcus Springer was afforded an opportunity to speak as he had attended the meeting from the beginning. He asked if there was a more detailed site plan available for the 95 Lawrence Road site was available. Ms. McIlroy said she would follow up with the task force’s consultant.
 13. Adjournment. It was moved by Mr. Sorkin, seconded by Ms. Nagle and unanimously voted (6 – 0) by roll call vote to adjourn. Meeting adjourned at 7:14 PM.

Respectfully submitted

Harry Sarkis Terkanian, Chair

Public documents:

1. Draft Affordable Housing Trust Bylaw
2. Draft Affordable Housing Trust declaration of trust
3. Draft minutes of February 22, 2021