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## **AMHERST MUNICIPAL AFFORDABLE HOUSING TRUST PUBLIC MEETING**

**Thursday, August 12th, 2021**

**7:00 PM**

**Virtual Zoom Meeting. Video recording available at: [LINK](#)**

### **IN ATTENDANCE**

**Trust Members:** Allegra Clark, Robert Crowner, John Hornik, Carol Lewis, Erica Piedade, William Van Heuvelen

**Absent:** Paul Bockelman, Sidonio Ferreira, Francis Goyes

**Staff:** Rita Farell, Nate Malloy, Lucya Turowski

**Guests:** State Representative Mindy Domb, Pat De Angelis (Town Council liaison), Rachel Belanger, Ana Devlin Gauthier, Tom Kegelman, Maura Keene, Kevin Noonan, Mary Beth Ogulewicz, Ethan Salvesan, Linda Slakey

Prepared by Lucya Turowski  
Meeting called to order at 7:05

### **1. Announcements**

*John Hornik* announced that the Pelham ZBA last night voted unanimously to approve the Home City proposal to develop 34 affordable housing units in Pelham. There was the broad level of community support in Pelham for the undertaking and for more affordable housing in general.

*John Hornik* announced that Housing Navigator has gone live, listing available affordable housing units both in the Amherst area and beyond.

Francis Goyes Flor will receive an award for her contributions to affordable housing at the annual CHAPA dinner in October.

### **2. Review minutes from May, June, July meetings**

*Carol Lewis* pointed to a couple of minor corrections for 6/10 minutes, minutes otherwise accepted.

### **Updates**

**a. Planning for future of seasonal shelter, discussion with Mary Beth Ogulewicz and Kevin Noonan:**

*Mary Beth Ogulewicz* shared the Homelessness and Rehousing Working Group's two tasks: 1. Short-term goal to come up with a seasonal shelter and 2. Long-term to look at housing and rehousing within the town of Amherst and reimagine/reinvent what is already in place.

She noted that for the short-term, the working group reviewed inventory of town properties for potential sites. None were suitable for the Fall but could be used for longer term goals. They have shifted focus toward religious spaces and have had promising conversation with one local group [name undisclosed until conversations can be had with entire congregation]. Building inspector and architect will be meeting to look at the space and come up with an intensive plan. The shelter would be an overnight shelter with an undetermined capacity, perhaps 14-20 in addition to existing 20 rooms at the University Motor Lodge. She raised the need to additionally figure out a day-warming site and showers. Amherst Survival Center is hoping to have a smaller space available from 12-3 along with showers. Conversation ongoing about creation of an ADA compliant shower trailer.

*Kevin Noonan* added that the congregate shelter at the UU was closed on July 31<sup>st</sup>. He raised the concern that if the aforementioned new site for an overnight seasonal shelter does not come through, there is currently no secondary backup site. He mentioned that the University Lodge is still in use and because most guests are vaccinated, they are able to double up to increase capacity to 29 guests. There are 7 guests over the age of 65. He mentioned a potential impediment to purchasing the motel is the steep price due to proximity to the University. At the moment University Lodge is being used for transitional supportive housing, but with goals to eventually create permanent supportive housing. Kevin noted that no one in the neighborhood had any complaints, showing a successful model for integration without disruption to the community.

*Kevin Noonan* noted that they served almost 60 people at one point in time and mentioned there has been talk between Wayfinders, Home City Housing and Valley CDC about purchasing the Econolodge in Hadley for mixed-use.

*Mary Beth Ogulewicz* emphasized the success of the model of using hotels for transitional housing which demonstrated that the personal agency, autonomy and dignity that comes from living in a singular home/private room enables guests to successfully live within the community. It helped stabilize and increase readiness for rehousing or permanent transitional housing.

*Nate Malloy* inquired about how operational funding looks for the upcoming years.

*Kevin Noonan* noted that since the Governor removed the state of emergency, they are no longer able to receive funds from FEMA to pay for operational costs for motels. ESGCV funding will cover the costs of the University Motor Lodge until June 2022, but the state budget after that is insufficient to cover a 24-hour shelter which will create more challenges.

**Legislative Advocacy**

*John Hornik* brought up the [Act to Prevent COVID-19 Evictions and Foreclosures and Promote an Equitable Housing Recovery](#) ("COVID-19 Housing Equity Bill" H.1434/S.891) that is currently pending in the Legislature.

State Rep *Mindy Domb* pointed out that the House and Senate included more money for RAFT in the FY2022 budget. This was specifically adopted because when the Governor lifted the moratorium on eviction notices there was a provision in which eviction and notices to quit would be paused for people who had an application in process for RAFT. She noted that she was not sure how quickly the bill discussed today [8/12] regarded halting evictions from moving forward would move. However, she pointed out that the Housing committee is now able to press for the bill to be moved to House Ways and Means.

She additionally pointed out another piece of legislation which would create the legal right to counsel for eviction notices and suggested it was one of the most important ways to prevent evictions. She explained that housing court judges are often forced to do impromptu legal counseling in hearings, which prevents adequate hearings and takes up time. Representative Domb pointed to a few avenues through which to achieve eviction protections: 1. Making sure people have assistance and funds to avoid eviction, 2. Continue the case when they get notice of eviction, and 3. Ensure eviction histories are sealed. There is another piece of legislation in the House aimed at sealing eviction histories currently. There will be hearings in the Fall for the bills regarding right to legal counsel and sealing of eviction histories. Rep Domb shared a letter that the Western Mass delegation of Senators and Representatives cosigned to the Joint Committee on Housing in support of the eviction prevention legislation currently being discussed.

*Representative Mindy Domb* affirmed that legal counsel for small landlords is included in the proposed bill in addition to legal counsel for individuals.

*Will Van Heuvelen* suggested the idea to vote on whether or not the Trust would like to support the letter being circulated.

**VOTE:** To draft and send a letter in support of [Act to Prevent COVID-19 Evictions and Foreclosures and Promote an Equitable Housing Recovery](#) ("COVID-19 Housing Equity Bill" H.1434/S.891). and to join the statewide group in support additionally.

- o **MOTION: JOHN HORNIK**
- o **SECOND: ALLEGRA CLARK**

*John Hornik* inquired about any questions before taking the vote.

*Allegra Clark* raised the point that Hampshire and Franklin Counties did not qualify for the CDC moratorium on evictions because they were deemed "not in the highest risk levels" and wondered if since these numbers are a moving target those counties would eventually slide into that category.

- o **VOTE PASSES unanimously 6-0, 3 members absent** [ Allegra Clark- Y, Robert Crowner-Y, John Hornik-Y, Carol Lewis-Y, Erica Piedade-Y, William Van Heuvelen-Y]

**b. East Street-Belchertown Road RFP:**

*Nate Malloy* reported that Anthony Delaney will send out the RFP by next Wednesday or Thursday.

*Carol Lewis* wanted to ensure that without a procurement officer there would be something in place so that questions and other issues arrive after getting the RFP out will be answered properly and in a timely manner.

*Nate Malloy* responded saying that those questions can be directed toward himself or Rob Morra, the building commissioner. Their names can be listed in the document so that they can field all the questions and take in proposals. The accounting office may want someone from their office to be involved, but for now Nate himself and the building commissioner would be available to answer questions so that the project does not get stalled with the departure of Anthony Delaney, who has resigned his position as Town procurement officer.

**c. Strong Street assessments**

*Nate Malloy* explained that the town owns a 12-13 acre paper subdivision on Strong St that was planned in the 1980s and was never developed. He reached out to DPW, which had some helpful ideas and reached out to a firm to get quotes for surveying, wetlands, utility assessment, etc. They will get back to him with the quote and depending on their estimate a formal RFP/RFQ might need to be formulated depending on cost. He mentioned that there were previously questions about whether or not to sell off some of the lots and suggested that a future agenda item could be to show context maps and discuss the appropriate use. He suggested that given topography and site constraints might preclude high density development.

**d. 132 Northampton Road Amherst Studio Apartments**

*John Hornik* talked to Laura Baker regarding the project. Valley CDC has received funding from DHCD and are set to go ahead. They are developing the final detailed building plans. Once those are complete, they will go out to bid for a builder with the hope that construction will start Spring 2022 and be completed in a year, which means tenants could be moving in by Fall 2023.

**Final Report from Emergency Rental Assistance Program**

*John Hornik* mentioned that a few weeks prior Janet Tetrault of Community Action Pioneer Valley reported on who applied for housing/who got housing including racial and demographic characteristics. He inquired about any questions or comments about the report.

*Nate Malloy* added that they accepted applications until June, so payments were made for some households through August. He additionally noted that there is still money, so in the next upcoming year if it is needed again, it is something the Trust could offer or could come up with another model for emergency assistance. He mentioned that most of the funds are reimbursable under the Federal CARES program, which means a fair amount of the money will come back to the Trust and can be used in the future.

**e. Discussion of use of ARPA funding**

*John Hornik* introduced the American Rescue Plan Act 2021 which provides money to states and localities. Amherst is large enough and will receive its own allocation of funds

estimated to be \$11 million. There will be many calls on how this money should be spent, but he stressed the importance of having a significant amount of the funds used for housing. The Governor has advocated for 20% of the state funding to be spent on housing. John attended a CHAPA meeting discussion on how to use ARPA funds are referred to an email in which he included a table created by NLIHC explaining how other localities are using the funds for housing. It is included below:

Cincinnati, Ohio	\$12.4 million	The Cincinnati City Council approved roughly \$12.4 million in ARPA funds for housing initiatives, including \$6.4 million for the affordable housing trust fund; \$3 million for Bethany House, which provides services to families experiencing homelessness; \$2.5 million for affordable housing development, and \$500,000 to fund repairs for housing code violations.
Fairfax County, Virginia	\$25 million	The Fairfax County Board of Supervisors approved \$25 million in ARPA Fiscal Recovery Funds to preserve and create affordable housing.
Louisville, Kentucky	\$16 million	Mayor Greg Fischer and the Louisville Metro Council approved \$16 million from the first round of ARPA funding on housing, including \$10 million for court eviction diversion programs; \$5 million for utility assistance; and \$1 million for security deposit and rental assistance.
Milwaukee, Wisconsin	\$30.4 million	Mayor Tom Barrett announced that Milwaukee would use \$30.4 million of the city's ARPA funding for affordable housing, including \$2 million for "shovel-ready" affordable housing projects, \$5 million for residential energy efficiency upgrades, \$1.2 million to increase voucher staffing at HACM, \$15 million to complete sewer, water and other elements of the Westlawn Choice Neighborhood Initiative Project, \$1.8 million for right to counsel, and \$3 million for additional code compliance loans.

*John Hornik* mentioned that the Trust's on line forum on Climate Change, Sustainability and Housing generated the idea for subsidizing the cost of retrofitting rental housing in Amherst. He recommended using ARPA funds in this way. The second idea is to use ARPA funds to purchase the University Motor Lodge. He does not think simply asking for funds to be put into the Trust would fit the program because the funds must be obligated by December 2024 and spent by December 2026. Thus, having a specific plan for using the funds is essential. He emphasized that whatever the Trust proposes will go through a town review process and that the more specific, the more likely for successful adoption.

The Town Manager has designated Sean Mangano, the Chief Financial Officer for Amherst, to lead the process for bringing forward proposals on how the funds should be used. He has reached out to key people in Town Hall to generate statements on the impacts Covid has had [in our case housing] and what additional problems and effects are expected in the future. Statements of need will include 1. The impact/problem, 2. An explanation of those impacts, 3. The severity, and 4. Justification for responding to those problems. John suggested that a discussion/brainstorm follow this introduction to discuss what housing needs could or should be addressed.

*Nate Malloy* mentioned it's fine to start at the idea for use of funds and trace backwards to see how Covid impacted this area of need. He mentioned a table for identification and assessment that will be used by departments, from those tables priorities will be extrapolated to help figure out projects for the funds.

*Carol Lewis* supported the idea for retrofitting rental housing, but also wondered if in addition to renters' difficulty affording costs, if there are homeowners that are struggling to pay their mortgage as well? She suggested that maybe this is an opportunity to assist homeowners as well.

*John Hornik* responded that the statewide program ERMA is intended exactly to address that. Homeowners in this area can apply to Wayfinders for funds to assist in mortgage payment problems.

*Nate Malloy* suggested that perhaps the retrofitting idea could be used for renters and homeowners. The intent behind the idea is to get more income to stay with the tenant, which requires some complexity in arranging with the landlord. With a homeowner, if retrofitting saves them money, then the money saved is going toward something else they need. He further explained that the program should be self-sustainable beyond the availability of ARPA funds or could be term limited. He agreed that John's idea for retrofitting could be done in a way that meets the requirement for ARPA funding goals.

*John Hornik* mentioned that the ECAC is on board with the retrofitting program and has the support of Stephanie Ciccorello, the Town Sustainability Coordinator.

*Nate Malloy* inquired about what the Trust thinks about purchasing a property for permanent shelter or transitional housing.

*Erica Piedade* suggested the need to consider immediate needs as well as other needs. There seems to be an immediate need for shelter in Amherst and she expressed her strong belief that this is a need that must be addressed.

*John Hornik* expressed doubt about whether ARPA funds could be used for the purchase of the Motor Lodge as a shelter. They may have to be used to purchase the Lodge as affordable housing.

*Allegra Clark* suggested the possibility for retrofitting some currently town-owned properties that are not ready for the current shelter season but could be ready for future shelter use.

*John Hornik* said there is nothing preventing the Trust from proposing that to see if it is in line with ARPA funding goals and suggested that the Trust does not have to stick with only one proposal. He brought up that with the retrofitting proposal, heating is tied to health issues specifically when heating is controlled by the landlord which can lead to poor ventilation which is particularly problematic with Covid. Retrofitting would improve ventilation, increase comfort and bring down the price for tenants.

*Linda Slakey* inquired about what the additional 80% of ARPA funds are for if the Governor wants to designate 20% to housing. She suggested making the case that in Amherst housing for low-income households is one of the more pressing issues and therefore warrants more than 20%.

*Linda Slakey* mentioned that if the other 80% is going toward businesses that were adversely affected due to Covid, then when designating 20% or more to housing it should be made clear that it is for *affordable* housing. She added that a developer that has multiple units probably did suffer economically due to lower student population, but if they receive

aid to continue their business this should not be counted as housing, but should be counted as business. Language framing should be specific.

*John Hornik* continued that if money is being given to developers a desirable outcome would be to secure some more affordable units as well. If rental agents or building owners are coming to the town for funding, it could come with the stipulation of additional affordable units.

*Robert Crouner* suggested the opportunity to expand a homebuyer program. He noted that the amount of need is so great that the attempts by the Amherst Community Land Trust and Valley CDC have been unable to meet need. Money could be spent for buying down the price of houses to enable people to live in Amherst.

*John Hornik* mentioned that real estate prices are rising right now, which means the cost of buy-down could be increasing as well..

*Robert Crouner* suggested that this is because they are only able to put in \$50,000 for buy-down, but if the ARPA funding is available to put in \$150,000 or \$200,000 per house that would be more aggressive.

*Nate Malloy* responded to Robert's proposal and suggested that further thought on impact assessment on homebuyers resultant from Covid. Possibly create 4-5 impact categories, ie. Types of households, owners, renters, etc. A homebuyer project could be eligible for ARPA funding, that would require further inquiry. ARPA funding is public funding but can be used for private organizations.

*John Hornik* added that in terms of impact, the cost of housing in Amherst has risen due to the circumstances surrounding Covid as people from cities have retreated making it more difficult to find something affordable to buy.

*Linda Slakey* followed up on Robert's homebuyer project idea suggesting that there is available information on what amount a subsidy has to be to enable a family to buy a home that can subsequently be added to the subsidized housing inventory. She noted that CPA funds were used to help two families afford houses. The first family bought the last affordable house in Amherst at \$250,000. The second family has made offers unsuccessfully at \$265,000 and has found that in this market there are often 15 offers well above asking price with cash-in-hand. She suggested it is easy to know precisely what a homebuyer program would need to put on the table in order to support families that can be listed on the SHI. There could be an algorithm for that tracks the current market, this year's AMI, what they are able to afford. Currently the gap is \$150,000.

*John Hornik* asked if that was at 30% AMI?

*Linda Slakey* responded that it was at 80% AMI and that people at 30% AMI cannot come close to affording housing in Amherst. She acknowledged previous concerns that it is a lot of money to spend for just one family but noted that it is a matter of framing the importance of the town not losing young families.

*Erica Piedade* added that for a lot of families the impact Covid has had is opportunity costs where families had to take savings to stay afloat, so support for mortgage payments would be helpful.

*Carol Lewis* brought up remaining questions about the ARPA funds not being able to be used for the purchase of a shelter. She thought homelessness could be one of the impact categories for these funds and suggested that the idea isn't given up on so quickly.

*John Hornik* clarified that affordable housing *for* homeless communities would fit better with ARPA goals than a proposal to create a new congregate shelter or purchase property to be used as a congregate shelter.

*Carol Lewis* suggested emphasizing the rise in homelessness resultant from the Covid pandemic as an eligible impact group.

*John Hornik* noted that in terms of problem identification, Covid has placed many people at risk of eviction. He inquired about other thoughts regarding use of ARPA funds and mentioned notes from this discussion would be used to create a report to Sean Mangano about the issues around housing. The Trust will be able to see what Nate submits to Sean and what Sean has identified as problems through discussion with people in Town Hall. There will be a public process at some point as well.

*Nate Malloy* added that the public process may involve Engage Amherst, an online tool, as well as meetings. He will email with further information once details are available.

*John Hornik* suggested an initial vote on ideas for use of ARPA funds.

*Erica Piedade* asked in terms of the retrofitting project idea, 1. How would we ensure that landlords don't kick tenants out and get higher rents? 2. How do we work with tenants to ensure that they are optimizing benefits?

*John Hornik* answered that most of the work would be done by the Center for Ecotechnology accessing funds from utility companies Baystate Gas or Eversource, which will cover 65-90% of retrofitting and possibly 50% of the cost of purchasing new technology. These funds are available independent of the ARPA program. The town and ARPA funds will supplement these costs so that 100% of costs are covered. So, if total cost of retrofitting is \$10,000 dollars, CET sources can pay \$6,000, the town can come up with \$4,000 from ARPA funds to cover the balance. First priority for this supplemental funding for retrofitting would be given to affordable units. He gave the example of Rolling Green, where 41 out of 205 units are affordable. In this case, Rolling Green could enter the program through CET and the town could supplement the cost for those 41 affordable units. A contract would be signed with the owner that ensures that the tenants would not see an increase and would ideally see a decrease in costs.

**A formal VOTE was deemed unnecessary at this stage, but three proposal ideas 1. Retrofitting affordable housing, 2. Purchase of the University Motor Lodge for affordable housing or shelter, 3. Mortgage subsidies for homeowners all garnered support.**

**f. Vote to send a letter of support for ECAC tenant organizing and survey**

*John Hornik* explained that in terms of tenant-involvement, the ECAC is proposing a first step for tenant involvement on issues pertaining to sustainability and housing.



ECAC Grant Application. *Amherst is in the early stages of developing a rental efficiency standards policy. The Town is partnering with the CHD Family Outreach Program to apply for Massachusetts Clean Energy Center (MassCEC) EmPower grant funding. The Planning Grant application seeks funding to organize community members in rental housing across Amherst to engage in the creation and dissemination of a brief housing survey that addresses the building efficiency and conditions of their respective housing. Funding will be utilized to compensate survey participants (\$5 gift cards) and provide a stipend (TBD) for “Building Captains”; tenants who would lead discussions, distribute fliers and serve as advocates for future stages of policy development. Information gathered from the community engagement process will greatly inform the draft rental efficiency standard policy.*

**VOTE** to send letter supporting ECAC’s grant application:

- **MOTION: JOHN HORNIK**
- **SECOND: CAROL LEWIS**
- **VOTE passes unanimously 6-0, 3 absent** [ Allegra Clark- Y, Robert Crowner-Y, John Hornik-Y, Carol Lewis-Y, Erica Piedade-Y, William Van Heuvelen-Y]

**g. Discussion of housing at Hickory Ridge, 5-9 acres along West Pomeroy Lane**

*John Hornik* briefed on the idea to use the land at Hickory Ridge to build an older adult rental unit. Tom Kegelman recommended reaching out to 2Life Communities. Nate mentioned that Beacon Communities might be interested as well. There does not seem like there would be difficulty in finding developers. Date for town to close on the property is unknown, but John suggested the Trust would be in a strong position to recommend this use. He cited interest by individual Town Council members.

*Nate Malloy* shared a map of the site showing the portion of developable land at the street frontage, 5-9 acres along the street that does not flood.

*John Hornik* reported that 2Life Communities uses an “aging in community model”, which is not assisted living, but that would still have support available. The major reasons cited for leaving housing for older adults is economic insecurity and loneliness. On the economic side, 2Life Communities provides affordable housing. This site could be mixed development including market-rate housing, but the primary goal of the Trust would be to have a substantial amount if not 100% affordable housing units on the site. Units would be 1-2 bedrooms. No studio apartments. On-site staffing would include a resident coordinator to help residents navigate daily life and coordinate healthcare services and an activities coordinator. Part of the design of the building would facilitate services coming onsite. 2Life’s idea for building design is that the first floor is used as a “village hub” including a large welcoming entry, as well as other community spaces for movie showings, clubs, games, etc. It appears that there is financing available.

*Rita Farrell* added that 2Life has worked with DHCD to revise design standards to conform more to a model that emphasizes community space. Funding includes a federal program,

Section 202 in combination with tax credits. She mentioned that if 2Life were to respond to an RFP for a project in Amherst it would be for a project of 100-120 units. An East Longmeadow group of financing consultants suggested looking in the 60-unit range. She also noted that this model requires partnerships with outside agencies for services.

*Erica Piedade* noted that it looks like 2life Community mostly develops closer to urban centers and also brought up the need to coordinate transportation with this site.

*Nate Malloy* mentioned that there will be competing ideas for Hickory Ridge. He expressed apprehension about 120 units, though mentioned that the Housing Production Plan looked at a site behind the Valley Transporter Building and put 45 units in a concept design. You could potentially do two of those at Hickory to achieve 90 units. He raised the question about whether a developer would be willing to do that many building envelopes. He mentioned the character and context of West Pomeroy might not support a single large, multi-story building.

*John Hornik* said that 2Life did not imagine the building being any larger than three stories. *Rita Farrell* mentioned that the design doesn't have to follow the 2Life model.

*John Hornik* inquired as to whether there were other housing ideas for the property.

*Carol Lewis* suggested thinking about homeownership in a way, for example an affordable condo project. *John Hornik* suggested that would be better suited for Strong St, since it is not near public transportation.

*Robert Crowner* supported the idea for older adult housing at the Hickory Ridge location and pointed out that need for older adult housing comes up often in housing plans and general planning, but there is never a proposal.

*Erica Piedade* questioned the demand, which is apparent, but suggested the idea of an intergenerational model with young families and older adults to promote intergenerational support. *John Hornik* noted that public financing is restricted to projects for 55 and older or 62 and older, so intergenerational development is unlikely.

*Nate Malloy* mentioned that aside from housing-type/population that building housing in this location will require either a comprehensive permit or the trust can recommend portions will need to be rezoned. Without rezoning any of these ideas talked about would have to be a 40B project. Promoting a zoning change might be easier. There will need to be a description of how site planning and design would fit into the surrounding area.

*John Hornik* reiterated the importance of using Hickory Ridge site for affordable housing. He suggested getting the interest in as soon as possible. The sooner and the more specific the description of what would be there, the more likely to garner support from the community and Town Council. He urged the Trust to continue thinking about what to do with the Hickory Ridge site and drive by to see the site for context.

Meeting adjourned at 9:10 pm.

**Upcoming Meetings:**

- Housing Coalition meeting, August 24, 6:30 PM
- Housing Forum on Older Adult Housing sponsored by Amherst Neighbors, Thursday, September 2, 4 PM
- Housing Trust, Thursday, September 9, 7 PM