~OUR PERSPECTIVE~

ON HOUSING MATTERS IN CHATHAM

Introduction

It has long been a challenge for many of Chatham’s year-round residents to find adequate and attainable housing here in town. It is an issue that many believe has gotten worse in recent years, as excessive housing costs drive away the local workforce, and even dual-income younger couples find they must leave Chatham in order to find affordable quality housing. The fact that this challenge is not restricted to Chatham but is a Cape-wide issue only exacerbates the problem.

Chatham’s Housing Production Plan (November 2018) details components of the challenge—the high cost of local housing, recent increases in local poverty, the seasonal and service-driven nature of our local economy, a high level of existing housing stock demolition and reconstruction by real estate developers, investors and generally wealthy second homeowners, and the impact that web-based short-term rental platforms have had. Existing regulatory structures contribute their own challenges, as traditional zoning regulations have, arguably, led to inefficient land use and to limits on what can be built in Chatham.

As our Housing Production Plan makes clear, Chatham suffers from a deficiency of community housing solutions across the full spectrum of possibilities—Massachusetts’ Subsidized Housing Inventory-qualifying “Affordable” housing, non-qualifying “affordable” housing, including both home ownership and rental opportunities, each across a broad range of area median income. This is a problem
that is not going to go away on its own. While good intentions and committed individuals have long characterized Chatham’s efforts around increasing the stock of attainable community housing, our community’s progress in deploying impactful solutions has been slow.

In an effort to potentially increase traction on addressing the challenges of attainable community housing, the Chatham Finance Committee established the Community Housing Working Group in June of 2019. The charge to the working group was to (i) survey Chatham’s current efforts around community housing (including the organizational structures behind those efforts), (ii) survey the efforts of other Cape towns and area organizations involved in addressing the attainable housing issue in an effort to “learn from good” and (iii) present its findings and recommendations to the Board of Selectmen for its consideration. To that end, the working group has met or spoken with 13 entities (please see Appendix A) over the past seven months to learn what we could.

While we are keenly aware that no one is eager to receive unsolicited advice, the working group believes strongly that successfully addressing the issue of attainable community housing in Chatham will require both focus and prioritization if we truly are committed, as a community, to addressing this issue. Any course to success will be marked, we believe, by

- Effective and thoughtful community engagement;
- Political will;
- Funding, and
- Accountability.

The absence any of these elements will, we believe, lessen the probability of success of any undertaken effort.

**Recommendations of the Community Housing Working Group**

Our recommendations fall broadly into five categories—Structural, Financial, Regulatory, Programmatic and Educational. Each will be addressed in turn. It is important to note that the intended outcome of our recommendations is not to simply move Chatham closer to meeting the State’s target of 10% Subsidized Housing Inventory but, rather, to increase the supply of housing—both rental and owned—across a spectrum of up to 200% of area median income.
Structural

Our recommendations envision a comprehensive restructuring of the architecture behind Chatham’s attainable community housing efforts. Chatham currently utilizes what one of our advisors referred to as the “old model”—where the Board of Selectmen (“BoS”) comprise the majority of, and lead the efforts of, the Affordable Housing Trust Fund Committee (“AHTFC”). The challenge implicit in this model is that the workload of the BoS often precludes effective action on housing issues. As one current selectman related to the working group, they had attended “four, perhaps five” meetings of the AHTFC in their 4+ years as a selectman. To be clear, the challenge implicit in this model is not unique to Chatham.

To address this hurdle, many communities have re-configured their housing trust to a less BoS-centric governance model—the “new model”. This model provides for a BoS-appointed Trust that reaches across local stakeholder entities. Members may be seconded from the local community housing partnership, the Community Preservation Committee, the Planning Board, the local housing authority, with a representative from the BoS (required under law) and from the local community as well. It is our understanding that this is the model which many communities including Brewster, Eastham, Orleans and Harwich, for example, use.

Under our proposed structure the BoS would provide oversight, strategic direction and guidance to the existing Chatham Community Housing Partnership (“CCHP”, formerly the Chatham Affordable Housing Committee) which, in turn, will provide the same to the Affordable Housing Trust Fund Committee (which, as a part of our recommendations, we propose to both re-name and re-configure). BoS strategic imperatives would be determined during its annual goal-setting process. Please see Appendix B for details on the proposed structure.

Additionally, it is our assessment that our current structure does not provide a sufficient level of clarity around authority, responsibility and accountability. With that as background, our recommendations include:

- Re-name the existing Affordable Housing Trust Fund Committee as the Community Housing Trust Fund Committee.
• Reconfigure the governance structure of the newly re-named Community Housing Trust Fund Committee, essentially embedding change in its governance structure towards a less BoS-centric model as noted above. Massachusetts Housing Partnership can provide free technical advice on any such conversion.

  o For example, the Brewster committee (like other area committees) includes a member of the BoS, the Brewster Housing Partnership, the Community Preservation Committee, the Planning Board, the Town Administrator, and several members at large.

• Empower the Chatham Community Housing Partnership to serve as lead agency, following BoS guidance, in envisioning housing solutions for Chatham and in providing strategic direction to the Community Housing Trust Fund Committee. The CCHP will:

  o Engage a consultant to lead a community-engagement process and develop an action plan for the CCHP with a corresponding five-year budget;
  o Develop rolling five-year goals, annually;
  o Prioritize initiatives;
  o Pursue both capital “A” and small “a” affordable housing initiatives.

• Empower the Community Housing Trust Fund Committee (currently the Affordable Housing Trust Fund Committee) to serve as the execution arm for the tactical initiatives agreed upon by the Chatham Community Housing Partnership. Hold the Committee responsible for outcomes achieved.

• Create a new public/private partnership municipal housing trust fund vehicle (non-Marconi) to allow projects that can provide solutions to those earning up to 200% of Area Median Income.

  o Create non-CPA revenue stream designated for this trust;
  o More flexible, faster acting in acquiring housing stock than current housing trust;
  o Able to take on projects outside currently allowed scope (current maximum 100% of Area Median Income);
  o Potentially funded both by Town and by public donations;
- Potentially provide down-payment and/or closing costs to first-time homebuyers, perhaps provide locally funded rental assistance (similar to the Massachusetts Section 8 program).

**Financial**

While dollars committed to housing is only one arrow in the quiver of financial solutions, it is the belief of the working group that Chatham’s community housing efforts are materially underfunded if we are truly serious about making progress against the challenges we face as a community. Chatham generally and currently funds its annual effort in community housing through the use of CPA funds. In FY20 and FY19, respectively, $549,500 and $330,000 was spent on housing. FY20’s spend was largely to fund the MCI program, while the majority of the FY19 spend was for the Town’s affordable housing buydown program. In neither of these two years was the stock of community housing expanded.

The Town’s Affordable Housing Trust Fund has a current balance of $1.1mm and was last drawn upon in 2015 for $175,000 to acquire a property on George Ryder Road South. By contrast, Nantucket’s 2019 Town Meeting approved $20mm in bonding for affordable rental housing on the island, and their CPC received $5mm in funding.

Our financial and finance-related recommendations include:

- Create financial incentive(s) to encourage 12-month rentals. Models include:
  - Provincetown’s Affordable Housing Residential Tax Exemption program, wherein property owners who rent year-round to tenants are given a portioned tax abatement, and
  - HAC’s program of incentivizing “landlords who rent their property year-round with wraparound services for homeowners whereby best practices on tenant selection and property management can be shared mitigating any negative experiences.” (It should be noted that HAC’s $1000 incentive model may not work in Chatham due to the higher level of income typically derived from Chatham rentals. Perhaps a higher level of incentive?)
• Increase minimum annual contribution of CPA funds designated for community housing.
  
  o Provincetown allocates 60%;
  o Nantucket Town Meeting recently bonded $20mm for community housing (as a result of a citizen petition) and committed an additional $5mm in CPA funding.

• Set up discrete funding mechanism for proposed Community Housing Trust Fund (see below).
  
  o Annual over-ride (e.g. Orleans 1% for housing over-ride)?
  o Funded line item in budget?
  o Repurpose 1.5% land bank tax on expiration (2020)?
  o Allocate a portion of short-term rental tax proceeds?

• Waive building permit fees for projects with restricted units. Percentage of restricted equals percentage of abatement.

Regulatory

Chatham’s *Housing Production Plan* presents a section (6.2) on zoning and regulatory strategies to enhance the probability of success of creating more units of attainable community housing. In addition to the strategies outline therein, the working group offers the following for consideration:

• Analyze current inclusionary zoning by-law in an effort to increase its efficacy. Massachusetts Housing Partnership may be of some assistance in providing guidance here.

• Revise zoning bylaws to create more density in village centers.
  
  o Consider use of Form-Based Code.

  “Form-based code is one alternative to conventional zoning used throughout the region. By emphasizing regulating the form of development more than the uses, form-based codes can support infill and redevelopment that complements and enhances the unique
character of the Cape, fostering mixed-use development that can also provide varied housing options for the region.”

- Review CCC Community Resiliency by Design project. "The objective of this effort was to develop a series of context-appropriate prototype designs that could deliver needed housing options at densities somewhere between the typical single-family detached house in the large-format multi-family corridor building that are the dominant forms of residential development today.”

- Determine the feasibility of designating districts for compact residential and mixed-use development in “smart growth” locations under Chapter 40R.

- Offer support for Dynamic Zoning recommendations of the Chatham 365 working group (change to zoning bylaws to allow for density, cluster housing…).

- Review regulations governing year-round rentals. Are they cumbersome, and serving as a barrier to more annual rentals?

- Regulate short-term rentals?
  
  - Boston, NYC, LA, SF, Chicago, DC, Seattle have all done so;
  - Shelter Island, East Hampton, Southampton, Montauk, Riverhead, New York—smaller destination communities—have done so as well;
  - Legal challenges withstood.

- Endorse headline recommendations in Chatham’s Housing Production Plan.

Programmatic

Discrete programmatic initiatives for consideration include:

- Consider contribution of infrastructure—roads, utilities, water or sewer—in addition to contribution of Town-owned, or acquired, land in effort to attract more developer interest in any proposed community housing project.

- Consider creation of formal program for Town of Chatham to acquire homes through the proposed second community housing trust to be held in
inventory as rentals (see Provincetown Year-Round Rental Housing Trust). Seek local property management services.

- Review sites in the town of Chatham for possible contribution to community housing development.
  
  - 127 Old Harbor Road—seek to lift current deed restriction, rehabilitate home, lease to Chatham teacher, police officer or firefighter with children (to pay respect to terms of Marion Ellis gift);
  - Middle Road;
  - North Chatham standpipe location;
  - Catholic Church property at Rt. 28 and Meetinghouse Road—consider purchasing acreage?
  - Second floor DPW building?
  - Monomoy Regional School District land?
  - Doc Keene Scout Hall (Atwood School);
  - “Old” Cumberland farms location—consider for purchase?
  - Stoney Hill CoA building.

Additionally, please find attached hereto Appendix C, a comprehensive listing of all available homes, condominiums and open lots for sale in Chatham for a price of $600,000 or less.

- Chatham Housing Buddies program (please see Appendix D).

- Consider requiring an affordable housing component for any new municipal building.

- Consider requiring an affordable housing component for any new commercial building.

- Lend “bully-pulpit” support for the creation of a “Friends of Chatham Housing” private-sector group that will educate and fundraise in support of the work of the proposed second community housing trust fund.
Educational

- Educate the community as to the enormity and expansiveness of the need, with faces they will recognize.
  - Create a video similar to the Nantucket affordable housing video (please see Appendix E).
    - Use people who represent Chatham--someone who lives in CHOP housing, a CFD firefighter, a CPD officer, waitress, landscaper, bank employee, nurse and/or medical staffer.
- Approach the real estate community to request notice of affordably priced properties before listing on MLS.
  - At least one local real estate firm can provide customized email alerts the moment a home which meets pre-set characteristics is listed in Chatham.
  - This action would be most effective following the creation of the proposed second community housing trust fund.

Time-Based Actions

The working group believes that certain tactics can be developed and implemented in short order, providing potentially impactful change in the quantity of available attainable community housing. These actions, ranked in order of potential impact include:

1. Create new public/private partnership community housing trust fund vehicle (non-Marconi) to allow projects that can provide solutions to those earning up to 200% of area median income.

2. 127 Old Harbor Road—Present warrant article at the Spring 2020 Town Meeting to authorize Town to work with counsel to lift current deed restriction. Once clear, move immediately to rehabilitate home, lease to Chatham teacher, police officer or firefighter with children.

3. Develop and initiate Chatham Housing Buddies (please see Appendix D).

4. Create financial incentive to encourage 12-month rentals. Models include:
a. Provincetown’s Affordable Housing Residential Tax Exemption program, wherein property owners who rent year-round to tenants are given a portioned tax abatement, and
b. HAC’s program of incentivizing “landlords who rent their property year-round with wraparound services for homeowners whereby best practices on tenant selection and property management can be shared mitigating any negative experiences.”

As the Board of Selectmen and the community at large consider our recommendations, we think it important that everyone take time to consider a vision of the Town of Chatham twenty-five years hence. What do we want our community to look like? To represent? To encompass? What will be the demographics of our community? Will we be a vibrant, thriving and hard-working community comprising a range of age, race, family size, income, occupational prospects and other demographics? Or shall we continue on the arc of exclusion and of periodically inhabited second homes? What is the Chatham of our affection and of our memory?

One of our working group members was recently in New York, holding in their hand a bag from the Candy Manor. A woman and her daughter approached and asked—“Oh, do you go to Chatham?” “No”, was the reply, “We live in Chatham.”

“For any American who had the great and priceless privilege of being raised in a small town there always remains with him nostalgic memories... And the older he grows the more he senses what he owed to the simple honesty and neighborliness, the integrity that he saw all around him in those days.” Dwight D. Eisenhower

Respectfully submitted,

_Chatham Finance Committee Community Housing Working Group_

Stephen S. Daniel
Tommy Doane
Barbara Matteson
Jo Ann Sprague
Andrew P. Young
Appendix A

Advisors to the Working Group

Chatham Affordable Housing Coordinator
Chatham Affordable Housing Trust Fund Committee
Cape Cod Commission
Cape Cod 5
Chatham Community Development Department
Chatham Community Housing Partnership
Chatham Housing Authority
Chatham Summer Residents Advisory Committee
Community Development Partnership
Housing Assistance Corporation
Massachusetts Housing Partnership
Nantucket Municipal Housing Director
Provincetown Community Housing Specialist
Appendix B

Proposed Organizational Structure

Board of Selectmen
Strategic Direction and Oversight

Chatham Community Housing Partnership (Existing)

Community Housing Trust Fund Committee
7 Members:
6 Community
(BoS Appointed)
1 BoS

Strategic Direction

Non-Traditional Funding

Community Housing Trust Fund
(New)
(Small “a”, >200% AMI)

Funding

Community Development
Department
Advice

Inclusionary Zoning
CPA Funds

Funding

Affordable Housing Trust Fund
(Existing, 100% AMI)

Funding

Advice

Community Housing Coordinator

Tactical Initiatives

Project 1
Outcome

Project 2
Outcome

Project 3
Outcome

Advice
# Appendix C

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Appendix D

Chatham Housing Buddies

Program

Seniors aging in place in their own residences are partnered with single working adults in need of housing. This idea is based on the multigenerational living arrangements that were common in the past.

Seniors with an extra bedroom can provide housing for individuals who would pay a lower-than-market rent, plus possibly perform hours of service to the senior.

A worker employed for 40 hours per week at $15/hour would gross $600/week; $31,200 annually and $2,600 monthly x 30% for rent = $780.

Advantages for Renter

- Safe housing
- Affordable Rent
- Possible opportunity to save/get out of debt/payoff student loan
- Enhanced integration into the community
- Companionship

Advantages for Senior Homeowner

- Extra income
- Help with household chores, driving, errands
- May allow senior to remain independent longer than if living alone
- Companionship

How It Works

Interested participants fill out a form. Town (or other entity, perhaps led by CoA?) establishes a database of seniors and workers interested in this arrangement. Both
parties are carefully screened/background checked. Each party is given a list of possible matches. Meetings are arranged. Contract signed.

Where to Find Participants

- Council on Aging
- Chatham Police Department Assurance Program
- Churches
- Community Center
- Publicize in media
Appendix E

Resources

Ripple Effect: The Nantucket Housing Crisis

https://www.youtube.com/watch?v=boGRhScYBIo

TEDx Provincetown by Alisa Magnotta—Housing Diversity Can End a Crisis

https://www.youtube.com/watch?v=oFIBr540HkY

Cape Cod Commission - Regional Housing Market Analysis and 10-Year Forecast of Housing Supply and Demand for Barnstable County, Massachusetts

https://www.capecodcommission.org/our-work/housing-market-analysis/

Cape Cod Commission—Community Resiliency by Design

https://storymaps.arcgis.com/stories/75d9538dced244fca275db7dc4add9d4

Cape Cod Commission—A Framework for Form-Based Codes on Cape Cod


Municipal Affordable Housing Trust Guide

https://www.housingtoolbox.org/local-tools/housing-trust-funds
Chapter 40R Local Zoning Bylaw Guidance Document