

To: Truro Zoning Board of Appeals

From: Ted Malone

Re: Response to: June 29, 2020 STATEMENT ON CLOVERLEAF HOUSING DEVELOPMENT submitted by Joan Holt, et al.

Date: 15 July 2020



I feel the need to respond, for the record, to the STATEMENT ON CLOVERLEAF HOUSING DEVELOPMENT (the Statement) sent by Joan Holt et al to the Truro ZBA and Truro Select Board. Each section of the Statement is included in *"italics quotes"* throughout my response.

My company, Community Housing Resource, Inc., founded 24 years ago, has the mission to address the affordable housing needs of the Outer Cape communities. Prior to forming this mission driven private company, I worked in the non-profit national NeighborWorks network since the early 1980's providing technical assistance to public/private/resident/ partnership organizations for affordable housing and community development. I have long been an advocate for developing affordable housing through a community process. I truly believe that a process that encourages community input in the design process often results in a better design.

As the designated developer of the Cloverleaf Truro Rental Housing development, selected through a Town sponsored Request for Proposals, I accepted the terms of a community design review. Through the design process, six or seven meetings were held with an ad hoc group of two members of the Select Board and Housing Authority, the Town Manager and the Town Planner to serve as a sounding board and to relay input from various committees and the general public. At least two formal update presentations to the Select Board were posted as agenda items. We held a community forum attended by approximately 100 to present the design ideas and received good input which in turn informed the design revisions. I met with Town Department heads and received useful guidance from them as well.

The design process for Cloverleaf has been a very open process and input from the community has helped shape and refine this proposal since day one. It is unfortunate that some people did not participate along the way and have waited

until now to voice concerns, particularly because so many of their concerns have already been addressed.

So my responses to the STATEMENT is as follows:

“To be a sustainable community, we need to have rental housing that will enable people to live here who cannot afford to buy, build, or rent a home at Truro's high market prices. The Cloverleaf property offers an opportunity to address this need.”

Well, we can agree on this statement of introduction.

“At first, most of us saw great promise in the proposal to develop the property. But much has changed.”

Nothing has changed about the need for affordable rental housing at all income levels and nothing has changed about the state mandate for each and every community's responsibility to address the need for affordable housing.

“New concerns have emerged that cry out for consideration. Many in Truro believe we should reconsider the scope and some of the shortcomings of Cloverleaf Housing, but have been reluctant to speak out thus far because people who raise questions or concerns are immediately labeled "against affordable housing." This accusation is unfair, untrue, and very intimidating. It needs to stop.

At this point, the town should not be deprived of the opportunity and the time needed to consider the new realities that confront us all: health concerns that we never had before, a climate emergency requiring measures to reduce our carbon emissions to net-zero as quickly as possible, and new environmental threats from changes in climate we are already too late to avoid. We need to take our heads out of the sand that surrounds us and start taking the actions required to survive.

The pandemic—which we can't assume will be our last—has put everything into a new perspective. We know now that infectious diseases like Covid-19 disproportionately infect people living in densely populated housing. Doesn't this fact make it incumbent on us to reconsider whether it is responsible from a public health standpoint to house close to 100 people including at-risk workers and elders in close proximity on 4 acres of land?”

We have learned through research that the assumption that multi-family living is correlated with transmission of Covid-19 is simply false, it is not based in fact. Health concerns related to the transmission of COVID-19 disproportionately affects people living in “OVERCROWDED HOUSING” not in individual apartments in multiple-unit buildings with regulated and enforced occupancy

limits. In a fifteen unit building of predominantly one-bedroom apartments, with 17 to 25 occupants, safety protocols for social distancing and masks, appropriate hand sanitizing stations, as well as routine maintenance for disinfecting common areas can easily be implemented for the safety of all. Furthermore the design of the multi-unit building has two units on the lower level with direct access to outside, five units on the first floor with common corridor and spacious entry area to the outside, and seven units on the second floor share two stairwells and an elevator. This is significantly safer for at risk older adults than living in a residence that they need to share with extended family or renters of rooms. This is safer than the overcrowded condition of the Truro Motel or other overcrowded housing. Also, 24 of the 39 units in the Cloverleaf development are in 12 two-unit townhouse or duplex configurations with each unit having direct access to the outside from two private entrances, just like a single-family home with private yard areas. Each of these units as well have regulated and enforced maximum occupancy limits. And with an average number of bedrooms per unit at 1.75, this is half the bedrooms of the typical 3 to 4-bedroom house. In terms of bedrooms per acres, the proposed density of Cloverleaf is equivalent to 5 units per acre like a typical suburban ¼ acre house lot.

“Several Departments and Town Committees charged with matters directly bearing on the Cloverleaf project should be made part of the planning process, if they haven't already participated. They surely will have beneficial suggestions. In addition to the Board of Health, the Housing Authority, the Conservation Commission, the Planning Board, our Police and Fire Departments, and the ZBA, the Energy Committee, the Climate Action Committee, the Water Resources Oversight Committee, and the Local Comprehensive Plan Committee should all be involved.

Most Committees have not been meeting recently. The Water Resources Oversight Committee, which should be playing a key role in evaluating and advising on the Cloverleaf waste water problem, has not met since January. The Climate Action Committee, the Energy Committee and the Local Comprehensive Plan Committee are only now beginning to schedule meetings. Each of them may have important insights to bring to the table.

Waste water remains a matter of major concern,”

The proposed wastewater treatment system and storm water design plans have been reviewed by an independent engineer hired by the Town. This Peer Review Consultant has made recommendations and gave direction to the project engineer. Based on revised plans submitted by the project engineer, the Peer Review Consultant is now satisfied that the level of treatment proposed will protect ground water in neighboring wells. The nitrogen output from the

proposed Cloverleaf sewage treatment system will be significantly less than conventional Title 5 that could be located as close as 100 feet from a private well.

All of the other Boards and committees of the Town had the opportunity to provide input on the Cloverleaf plan prior to CHR submitting the plan to the ZBA under Chapter 40B in November 2019, and these Boards and committees had the ability to provide comment to the ZBA through the hearing process.

“but there are other things that warrant attention.

As currently planned, the Cloverleaf development will use fossil fuel and not have solar panels, heat pumps, or mini-splits. This will increase Truro’s carbon footprint at a time when we must be rapidly reducing it, to do our part in avoiding catastrophic global climate change. Massachusetts has committed to ambitious reductions in carbon emissions. This requires that new buildings be built to be carbon-neutral. The technologies needed pay for themselves in a few years, actually saving money in the long run, as the Energy Committee can explain. If Cloverleaf isn’t built to be carbon-free, Truro taxpayers will soon have to pay for costly retrofitting.”

While the Cloverleaf Construction Specifications as currently written calls for use of high efficiency propane fired boilers, this is necessary in order that we have a baseline of cost to provide heat and hot water. CHR has been and continues to evaluate the potential for mini-split heat pumps and this is likely solution for heating and cooling of the 15-unit apartment building as well as the two-unit townhouse and duplex buildings. CHR is also investigating the ability to install solar roof shingles or Building Integrated PhotoVoltaics (BIPV) on all structures. The technology is changing and it is uncertain what costs and incentives will exist when Cloverleaf get built in 2022. CHR recognizes the importance of moving towards carbon neutral, and our funders have an emphasis on sustainable design as a threshold for funding awards. Two meetings have been attended with the Energy Committee (one in person and one phone conference) and CHR welcomes specific feasibility recommendations. I think we can all agree that carbon-neutral construction is important and highly-desirable, but not if it makes the development of affordable housing financially unfeasible. It would be inappropriate to impose higher standards on affordable housing development that private homeowners are not subject to.

“The Climate Action Committee is studying septic system corrosion from salinization caused by sea level rise. This is not merely a future concern: The Cape Cod Commission predicts flooding to occur at least annually in Truro, starting this very year, which may increase salinization of our water table. The Climate Action Committee, the Water Resources Oversight Committee, the Board of Health, and local builders may be able to

suggest alternative technologies to septic systems, such as composting toilets and biogas digesters. We need to hear from them.”

The Cloverleaf development is constructed well above elevations where sea level rise might cause problems. As referenced above, alternative innovative septic technology has been proposed and is acceptable to the Peer Review Engineering Consultant. CHR will not be proposing composting toilets nor biogas digesters.

“In addition to all the concerns raised above, there exist many financial questions--are there investors who may profit from the Cloverleaf development, what measures will protect the tenants from unaffordable rent increases, what cost projections are there for future operation, maintenance and management , and what financial burden might the taxpayers have to carry? The land was given to the town, yet the townspeople have been provided no answers to these questions.”

The financial structure of the Cloverleaf development is dictated by the public funding sources involved. Those funding sources limit developer fees (overhead and profit) on projects to between 10% to 12.5%. Furthermore, pursuant to Chapter 40B, the ownership entity for Comprehensive Permit projects must be a Limited Dividend organization with a cap on return on equity at 10%.

The Cloverleaf Truro Rental Housing development is primarily affordable, community housing, and median income housing. The property will be subject to an Affordable Housing Restriction, a deed restriction, that will guarantee permanent affordability for 33 of the 39 rentals. Six of the units are market rate rentals without income or rent restrictions. Financial modeling for long term operations are projected out 21 years. Operating budgets for management and maintenance including reserves for long term replacements provides assurances for long term quality. Operations are monitored on an ongoing basis by public funders, mortgage lenders, and investors. The property will not be a “financial burden for the taxpayers”. The property will pay property taxes on an assessment based on the income approach to value. The Town will be providing road maintenance and snow plowing. This is all standard procedure for affordable housing and you don't have to look farther than Sally's Way for evidence of successful operations that preserves long term quality housing.

“Cloverleaf is by far the biggest construction project Truro has ever contemplated and there are issues that have not been adequately addressed. Too few town committees and members of the public have been in on the planning of Cloverleaf. it was not as open a process as it might have been, and many unforeseen consequences have not been aired or discussed by the community. Now that so many questions have been raised, we need

to slow things down and broaden public involvement. We must do better with the land given us by the State for affordable housing. Including more perspectives will result in a better plan. As one signer said, "We can work together to have it all: affordable housing, clean water, and carbon reduction."

It is doubtful that the Cloverleaf is “the biggest construction project that Truro has ever seen”. Truro Elementary School; Truro Public Library / Community Center / Sally’s Way Affordable Housing; Seaman’s Bank Loan Center, Tradesman’s Park; Shearwater subdivision are a few to consider in relative size. Please see the second paragraph of this response for the community involvement in the Cloverleaf design process.

In conclusion, I will restate where I started:

The design process for Cloverleaf has been a very open process and input from the community has helped shape and refine this proposal since day one. It is unfortunate that some people did not participate along the way and have waited until now to voice concerns, particularly because so many of their concerns have already been addressed.

Respectfully submitted,

Ted Malone