

FRANKLIN AREA COMMUNITY LAND TRUST, INC.

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PROJECT REPORT

PREPARED FOR: Chris Clamp

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DATE: December 19, 1987

PROJECT REPORT ON THE FRANKLIN AREA COMMUNITY LAND TRUST, Inc.

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Introduction

This report is being prepared with three goals in mind:

(1) to satisfy the project requirement of the Master's Program in Community Economics offered by New Hampshire College; (2) to provide guidance, legal documents, and other materials for anyone else interested in creating one or more community land trusts; and (3) to demonstrate to current and future students enrolled in the C.E.D. Program that many, if not all, of the courses offered in this program are directly applicable to C.E.D. work in general, and to your projects in particular.

My inspiration for item (3) above came initially from Sharon Hunt, who was the co-instructor, with Michael Crawford, of our Non-profit Management course. Sharon urged us to use the course to develop a grant proposal and a funding plan for our organizations or our projects. I was just starting to organize the Franklin Area Community Land Trust (FACLT), and thought that was a great idea! The proposal that I prepared for the "Sharon Hunt Foundation" has been the basis of three actual proposals, and all three have been approved! The amounts have been fairly modest (\$1,250 from the Haymarket Foundation, \$2,000 from Belknap-Merrimack Community Action Program, and \$7,500 from the N.H. Charitable Fund), but they have given the FACLT some much-needed start-up funds, a track record, and the confidence to apply for a \$350,000 Community Development Block Grant through the Town of Northfield, N.H. (I'm doing that and this report simultaneously - but don't try this at home!).

I carried Sharon's idea to my other courses: Dakota Butterfield's Organizational Management course (which helped me immensely with my co-op conflict resolution skills); Chris Page's

Business Development course; David Abromowitz's Land Use course; and Chuck Turner's Worker Co-ops course (the FACLT is not a worker co-op, but the future staff will be integrated into its decision-making process, and will be empowered to be treated as and feel as "equals" with the FACLT Board of Directors and membership).

Of course, other courses have been very helpful as well, especially Don Mason's Housing course and Law course (also known as "A Corporation for Every Occasion"). The Negotiations course offered by Don and Michael Swack is also extremely valuable - I have used it to turn some of the most notorious slumlords in the State of New Hampshire into human beings (at least until the Purchase Agreement was signed)! Stick with objective principles, and, even though you may not always win, you will very seldom lose! Denise Thal's Accounting courses were helpful, too, even though I was an Accounting major in college - nobody said anything about cash being cash at UMass!

I am thankful to everyone mentioned above for the instruction and support that they have given to us all, as well as several other key people: Chris Clamp, my advisor, who gave me guidance and much-needed support when I was teetering on the edge of my sanity; Julie Eades and the N.H. Community Loan Fund, who have supported, make that sponsored, my work with the FACLT; Chuck Collins and I.C.E. have been very helpful and supportive, and it really impressed people having an "expert" from Greenfield, MA come to talk with us; all those great people who work with the C.E.D. programs; Janice DeAngelis, a graduate of the C.E.D. Program, has been very helpful and supportive, and plans to start a community land trust in the Laconia area soon;

the Community Action Program, and other good folks in the community, have really contributed to the efforts; and I'll thank Michael Swack again, as he gave me my opportunity in the C.E.D. world, and talked me into doing a community land trust for my project - it's been extremely challenging and rewarding.

Of course, my wonderful wife Susan deserves a lot of credit for putting up with, I mean, supporting me through all this. She is an incredible source of positive energy, which I need in order to keep trying to change the world! I am very thankful for having her plugged into me!

December 24, 1986

TO: Chris Clamp
FR: Peter White
RE: CED Project Contract Outline (Revised)

FRANKLIN AREA COMMUNITY LAND TRUST

A. PROBLEM STATEMENT

1. The Franklin area includes the City of Franklin (population approximately 9,000), and the towns of Andover, Belmont, Danbury, Hill, Northfield, Salisbury, Sanbornton, and Tilton (total population of Franklin area estimated at 25,000).

2. There are many economic problems in the area, including:

- (a) the shrinking availability of affordable housing (current vacancy rate in Franklin = 0%; source: Franklin Housing Authority);
- (b) the shrinking ability of low- and moderate-income households to afford housing in the area (while median rents have increased by 450% since 1970, median income for N.H. families has only increased by 150%; a female-headed household now spends about 43% of the household income on housing, compared to about 22% in 1970; source: N.H. Social Welfare Council);
- (c) the deterioration of the rental housing stock (there are about 30 apartment buildings and duplexes housing about 100 units in Franklin alone that are in decay, as well as several mobile home parks; source: Franklin Housing Authority);
- (d) continued underemployment, largely due to factory closings, with two more next Spring involving 172 employees (source: Concord Monitor);
- (e) continued low family income (since before 1970, the Franklin area has ranked in the bottom 25% of the State in median family income; source: N.H. Office of State Planning).

3. The root cause of the economic problems in the Franklin area is the lack of community control over community resources. Town tax records show that most of the housing stock is owned by absentee landlords and out-of-State corporations. Many of the factories in the area are owned by large corporations, such as Digital, Arwood Corp., Polyclad, and Merrimack Magnetics Corporation; many of these corporations receive property tax breaks from the towns so that they won't leave (supposedly). The problem of capital leakage exists, as there are very few "import substitution" businesses.

There is the traditional problem of access to capital and technical assistance that prevents locally-controlled development from taking place. There also is a lack of knowledge about alternatives to the traditional business practices.

B. PROJECT GOALS

1. Minimum Goals: (1) to create a community-controlled non-profit land trust corporation; (2) to develop a plan to raise operating funds; (3) to develop an inventory of properties for acquisition, and to begin to move to acquire housing units for rehabilitation and cooperative management; (4) to complete a thorough local economic analysis; and (5) to educate local officials and residents about community land trusts, housing cooperatives, and other opportunities for community-controlled economic development.

2. Maximum Goals: (a) for the Franklin Area Community Land Trust (FACLT) to purchase factories, farmland, and other properties for the development of worker-controlled businesses and consumer-controlled cooperative services (day care, health care, food co-ops, etc.); and (b) for the FACLT to be a model for other communities around the State, New England Region, and the Country for community-controlled economic development.

C. METHOD

1. Over the next six months (January - June, 1987), I plan to (a) hold a series of meetings in the Franklin area with public officials and interested people to discuss, plan, and create the Franklin Area Community Land Trust; (b) to incorporate the FACLT, develop a temporary Board of Directors, develop Bylaws, and develop a business plan, including a plan to generate operating funds; and (c) to continue research and work on the local economic analysis (see "Tasks and Timelines" below).

2. Over the next year, I will (a) work with area tenants to create opportunities for the purchase of rental properties and the formation of housing cooperatives; (b) complete the local economic analysis and publicize its conclusions and recommendations; and (c) work to expand the potential sources of operating funds of the FACLT (see "Tasks and Timelines" below).

3. After the next year, the FACLT should be established to be able to expand into other community-controlled economic activities (see "maximum goals").

TASKS AND TIMELINES OF PROJECT

- | | | |
|-----|--|--------------------|
| I. | DEFINE GOALS AND FOCUS OF PROJECT | BY DEC 86 |
| | A. WHAT IS NEEDED IN N.H.? | |
| | B. WHAT IS DOABLE IN N.H.? | |
| | C. WHAT AREA CAN BE REASONABLY COVERED (PEOPLE AND PLACES)? | |
| | D. DEVELOP PROJECT CONTRACT OUTLINE | |
| II. | OUTREACH AND ORGANIZING | WINTER & SPRING 87 |
| | A. CONTACT RESIDENTS, COMMUNITY ORGANIZATIONS, HOUSING ADVOCATES, OTHER INTERESTED PARTIES, | |

AND GOVERNMENT OFFICIALS, AND GET THEIR
THOUGHTS AND INPUT

- B. CONVENE ONE OR MORE INFORMATIONAL MEETINGS
ON GOALS AND STRUCTURE(S) OF M.H.T.
- C. FORM ORGANIZING COMMITTEE

III. RESEARCH (DONE SIMULTANEOUSLY WITH II.) JAN - DEC 87

- A. MAP OUT LOCATION AND CONDITION OF HOUSING AND
LAND IN TARGETED AREA(S)
- B. OWNERSHIP STUDY
- C. REAL ESTATE MARKET SURVEY
- D. DEVELOPMENT PLANS IN EXISTANCE (INCLUDE TOWN
AND STATE PLANNING)
- E. LOCAL LENDING PATTERNS
- F. DOMOGRAPHICS AND TRENDS
- G. DEVELOP LOCAL ECONOMIC ANALYSIS

IV. INCORPORATION SPRING 87

- A. DRAFTING COMMITTEE AND TEMPORARY BOARD
OF DIRECTORS (UNTIL SPRING 88 ANNUAL MTG)
- B. ARTICLES OF INCORPORATION
- C. BYLAWS
- D. APPLY FOR FEDERAL TAX-EXEMPT STATUS

V. PROPERTY ACQUISITION

- A. DEVELOP INVENTORY OF POTENTIAL PROPERTIES SUMMER -
(TARGETING) FALL 87
- B. BEGIN EFFORTS TO ACQUIRE PROPERTIES FALL 87
- C. TECHNIQUES (OWNERSHIP, LEASEHOLD INTEREST,
OPTION, RIGHT-OF-FIRST-REFUSAL, ETC.) FALL 87

VI. FINANCING SUMMER - FALL 87

- A. FINANCIAL PLAN
- B. PROJECT PROSPECTUS PREPARED (BUSINESS PLAN)
- C. DEVELOP SOURCES OF FUNDING (GRANTS, LOANS,
VENTURE CAPITAL, OTHER FUNDRAISING)

VII. LEASING FALL 87 - SPRING 88







- A. DRAFTING THE LEASE
- B. SELECTION OF LEASEHOLDERS
- C. LEASEHOLDER SERVICES

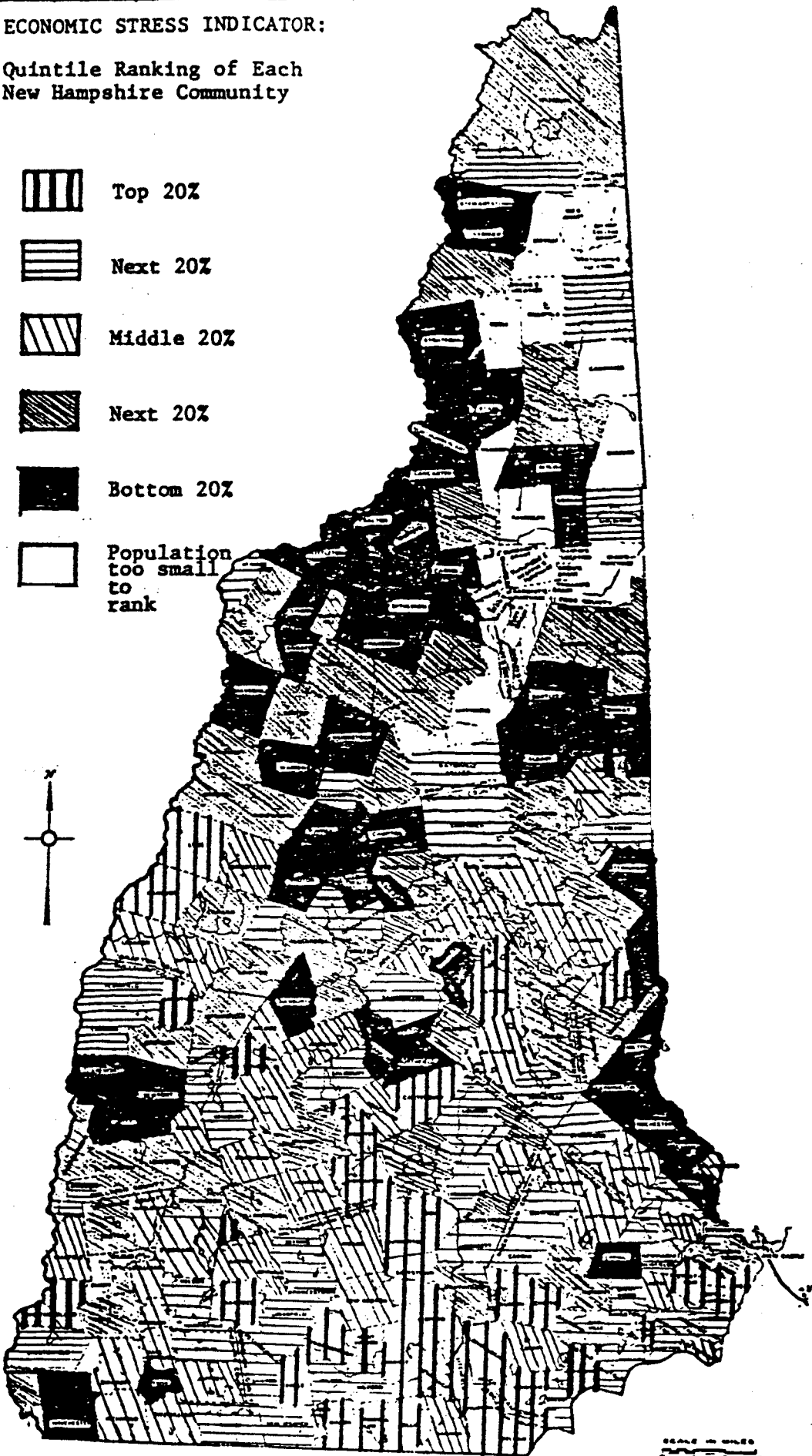
VIII. MEMBERSHIP INVOLVEMENT AND CONTROL SPRING 88

- A. LIMITED-EQUITY COOPERATIVES - SPRING
1988 ANNUAL MEETING OF FACT
- B. NON-PROFIT COMMUNITY CORPORATIONS 1988 ?
- C. FARMING/DAIRY/OTHER WORKER-OWNED CO-OPS 1988 ?

ECONOMIC STRESS INDICATOR:

**Quintile Ranking of Each
New Hampshire Community**

-  Top 20%
-  Next 20%
-  Middle 20%
-  Next 20%
-  Bottom 20%
-  Population too small to rank



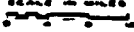
SCALE IN MILES


Exhibit #4

LIST OF STRESS FACTORS

1. Average Rate of Unemployment 1981-1983
2. Average Weekly Wage 1982
3. Median Family Income
4. 1980 Unemployment Rate
5. Percent of Persons Below Poverty Level
6. Percent of Persons Below 125 Percent of Poverty Level
7. Percent of Children Not in Married Couple Families
8. Percent of Households with Children and Female Headed
9. Percent of Households with Children not Headed by Married Couples
10. Percent of Non-institutionalized Elderly not in Family Settings
11. AFDC Cases as Percent of Female Headed Households
12. Dependency Factor 1 (the percentage of the population receiving Aid to Families with Dependent Children (AFDC) or non-Public Assistance food stamp benefits.)
13. Dependency Factor 2 (the percentage of the population receiving the categorical assistance programs Old Age Assistance (OAA), or Aid to the Needy Blind (ANB), or Aid to the Permanently and Temporarily Disabled (APTD.))
14. Medically Needy Cases Per 1,000 Population
15. Percent of Population Living in Rental Units
16. Average Home Value for Owner Occupied Homes
17. Average Contract Rent
18. Average Rent as a Percent of Wages
19. Capitalized Value of the Interest and Dividends Tax Per Capita
20. Capitalized Value of the Savings Bank Tax Per Capita

III. RESULTS

MINIMUM GOALS

Overall, the results of this project have been excellent! The minimum goals stated in the Project Contract Outline have been achieved in whole or in part, as follows:

1. To create a community-controlled non-profit land trust corporation.

The FACLT was incorporated last May after a vote to do so by a group of interested people who had been meeting together for several months. Five of the eight members of the founding Board of Directors are local people, and about a dozen other local people are involved with the Committees that have been established: Acquisitions, Finance, Legal, and Outreach. In October, the FACLT sponsored a "Tenants Rights and Options Conference" with N.H. Legal Assistance that was attended by about thirty people. Since then, the FACLT has made purchase offers for two buildings that attendees of that Conference occupy. The FACLT has been contacted by interested landlords, people working on other community needs in the Franklin area, and people from other communities around the State that are interested in our efforts. The Franklin Area Community Land Trust, Inc., has become a viable organization in the community.

2. To develop a plan to raise operating funds.

The FACLT now has a solid plan for generating revenues through its activities (Project Fees, Membership Dues), and is starting to receive donations and grants. There is over \$4,000 in its bank account, there is another \$9,500 coming from two grants that were approved recently, and a sizable donation is on its way (at least \$2,000). The FACLT is applying for a \$350,000

CDBG grant, as well as several others in the coming months.

The FACLT plans to open an office in March, hire a full-time director (that may be me), and hire a part-time person to be trained to work with tenant cooperatives. With a full-time presence, one acquisition per month will be possible, that will generate about \$2,000 per month on the average. The FACLT plans to be totally self-reliant with-in two years (although grant proposals will continue to be developed).

3. To develop an inventory of properties for acquisition, and to begin to move to acquire housing units for rehab and cooperative management.

The FACLT has targetted several areas in the Franklin area that have many apartment buildings that are deteriorating physically while becomming less affordable because of rising rents. While a more thorough inventory of all rental properties in the area needs to be developed, the FACLT does have a good idea of which properties to move on.

The FACLT has acquired two properties, totalling eleven (11) units, that are now leased to, under the control of, and being rehabbed by two well-run tenant-owned cooperatives: the Franklin Premier Cooperative, a seven-unit property located at 115 Franklin Street, Franklin; and the "R" Community Cooperative, located at 23-29 Franklin Street, Franklin. Both have 100% membership. The original goal was to have ten apartment units converted by the First Annual Membership Meeting scheduled for Spring of 1988, so that goal has already been reached.

The FACLT expects to make two more acquisitions by the Spring, and all occupants of the co-ops are also enrolled as members of the FACLT, so they will have a lot of influence over

who the next Board of Directors are.

4. To complete a thorough economic analysis.

This goal has not been fulfilled as thoroughly as I would have liked, but, as the FACLT continues to grow, write grant proposals, and look to other areas to address (non-profit daycare, food co-ops, worker-owned businesses), it also gathers data that is needed for its activities.

With a full-time director, the FACLT should be able to complete a local economic analysis in the coming months. Fortunately (at least in this instance), the housing problems are so obvious that it is not necessary to convince anyone of the need for our work.

Included in this report is a study performed by the New Hampshire Department of Resources and Economic Development in 1983 that rate all the Cities and Towns on an "Economic Stress Indicator". This Indicator considers such stress factors as unemployment rates, wages, people below and slightly above the poverty level, single-parent households, the percentage of the population receiving public assistance, medically needy people, the percentage of the population living in rental units, etc. Franklin, Tilton, and Northfield, the areas where most of the FACLT's efforts are to be made, all fall into the "bottom 20%" of the State's communities based on those stress factors.

5. To educate local officials and residents about community land trusts, housing cooperatives, and other opportunities for community-controlled economic development.

There are now many people in the Franklin area that are informed about the FACLT and housing cooperatives. Some people also realize that the FACLT will be developing other types of

organizations and economic activities. The educational process is an ongoing activity, both with-in our Organization and with-in the community, but this goal has been addressed sufficiently with-in the timeframe that this project report covers.

With-in almost every rental property that I doorknock or examine for our Acquisition Committee lives someone who has heard of the FACLT and has a general idea of what we're about.

I attended a Franklin Planning Board meeting the other night, and while the Chairman was introducing me to speak, he gave the other Board members a five-minute overview of what the FACLT was about that was pretty accurate. I had not met or talked with him before that moment. Several other members of the Board, and several members of the audience, came up to me after the meeting to show their support for our work. I was pleasantly surprised, but that shows that our legacy is growing!

The Selectmen of the Town of Northfield voted unanimously to sponsor a CDBG application for the FACLT at the first meeting that I had with them, even though the FACLT has not yet done a project in Northfield.

Most local officials, and many people on the grassroots level, now know about the FACLT and its purpose in the area of affordable housing. This is why we've gone so far so fast.

MAXIMUM GOALS

The FACLT has two long-term goals: (1) to get into other areas of community economic development, such as day care cooperatives, agricultural co-ops, worker co-ops, etc.; and (2) for the FACLT to be a model for other communities around the State, Region, and Country.

Neither of these goals have been realized as yet, but the

seeds have been planted. I have gotten positive feedback from others involved with affordable housing around the State, and the Laconia Chamber of Commerce, a local banker, a church group, and several Laconia residents have expressed interest in assisting with the creation of a community land trust in Laconia. The employers realize that housing costs are forcing them to increase wages faster than they would like, and want to stabilize housing costs for the labor force. It's a changing world!

As mentioned earlier, people in the Franklin area with other concerns have started looking at the FACLT as a potential resource for fulfilling other community needs. The FACLT is giving people a sense of hope, a direction for community action, and a feeling that it is possible to improve economic conditions for low- and moderate-income people if they try. This is the most important accomplishment that we have achieved.

IV. ANALYSIS, CONCLUSIONS, RECOMMENDATIONS

Overall, the FACLT project has been successful. The ongoing approach has been to combine community organizing with community economic development, which, in my opinion, should be closely integrated in every case.

The community organizing emphasis is the key to our success. If Pete White had gone into the Franklin area and said: "Follow me to the promised land!", I would have had a long, lonely walk to nowhere. This is the approach of most liberal politicians and causes, and we can see how much they have changed the status quo. Instead, I went around saying: "Here's an idea, let's get people together and talk about it. What do you think?" All decisions have been made as a community group, open to anyone and everyone. My role has been as a technical assistance provider, a team

player, a servant of the people. We all make suggestions, we all discuss them, and then we all decide as a group. This is my primary conclusion and recommendation: community organizing is the key to mass-based victory!

This approach is very empowering to people, and that is what we are trying to do. When people feel empowered, they try to do things. Delegating tasks to people adds to their feeling of empowerment. My first step after incorporating was to establish committees which made recommendations to the Board. I also spent time going over parliamentary procedures with the Board and the committees. This has been a strength of the FACLT - our decision-making process. There has been no personality clashes as yet, even though we have some very different (and strong-willed) people involved. The focus is not on the individual's desires, it is on the group's goals. Using a large pad of paper on an easel, and a magic marker, is helpful during discussions.

I realize that my relationship to the N.H. Community Loan Fund was an important strength of the effort. By having access to capital, and a track record of having done several mobile home park cooperatives, there was something very concrete that I could point to, and this helped to build the sense of possibility much quicker than if nothing had yet been done in New Hampshire. This connection paved the way to our first two bank loans. This background also gave me the confidence to go into the area and tell people that we can do it, because others have! I would strongly recommend that anyone starting a community land trust line up some resources before you start. The Institute for Community Economics also assisted us with technical assistance, and they can provide community land trusts with access to capital

anywhere in the United States. Chuck Collins, of I.C.E., is a great person to get assistance from.

There are several things that I should have done differently, or done better than I have. The first shortfall of mine is regarding the cousin of community organizing, which is networking, or coalition building. I have not had the time to contact the local churches and community service providers (outside of the Community Action Program), but I should have made the time. I tried putting these folks on our mailing list, but that has not gotten them involved. If I had visited these folks last winter, in one-on-one or small group settings, and if they had attended the meeting where people voted to incorporate and chose our interim Board of Directors, they would now be involved with the FACLT. The religious community has a lot of influence and resources, and should be approached right away.

Another shortfall has been my approach to the town officials. I did attempt to get the Franklin officials involved, but I did not meet with any representatives of the other eight towns included in the "Franklin area". These officials are easily offended, and get defensive, when someone comes into their community to work for improvements without getting their input. A selectman from Salisbury came to one of our meetings in a very irate mood. "I want to know what's going on in my Town!" He barked, and then left in a huff halfway through the meeting. Once again, I sent them mailings, but this is a very ineffective form of outreach with something new like this. I would strongly recommend that more time and effort is put into meeting with these town officials well before the group votes to incorporate. This means every official, not just the liberal ones, or the most

prominent ones; select people, planning boards, zoning boards, historical committees, conservation commissions, police chiefs, you name them, they should be talked to. It really is the respectful thing to do. Care, share, and respect - these are important qualities in this work. Care about what they think and feel, don't just disregard their viewpoint because you think that you know they way and they don't. You would be surprised about how savvy these backwoods leaders are, and how helpful they can be if they get turned on to what you are doing.

This leads to my next weakness, which is also one of my strengths: my direct action approach to problem solving. I had a debate with Mtangulizi about community organizing and community economic development, and, at first, I thought that he was against doing community organizing, which I disagreed with. However, after listening to what he was actually saying, it was the confrontational tactics used often in community organizing that disturbed M.T. When the Franklin officials started interfering with our efforts, I reacted by confronting them about their actions. They had been badmouthing our efforts, and they delayed our first closing by saying that we needed subdivision approval in order to have a separate title to the buildings (which we want to convey to the co-ops) and the land. I should have used a conciliatory approach, and sat down with them to discuss their concerns. Even if some decided to oppose us at every turn, I feel that the majority of them would have become supportive, and the majority can keep the few greedy ones in check. Confrontational tactics may be necessary down the road, but when you are just getting started, the intermediary approach is much more effective.

There are several minor things that I should have done sooner: I didn't prepare and send in our application for 501(c)(3) tax exemption status until several months after incorporating - this should be done immediately after incorporating! We didn't submit our first grant application until four months after starting, and several should be done immediately after incorporating. I haven't made up stationary yet, which should have been done long ago (list your Board members on it, to show who's involved - that lets people know that local folks are part of the effort, and adds some quick legitimacy).

This leads to my last recommendation, regarding time management. My ongoing excuse is lack of time, and as we say in the real world, excuses don't get the job done! Julie Eades, the Director of the Loan Fund, told me from the beginning that I wouldn't be able to make the time commitment necessary to do the start-up job as fully as necessary, and she was right. I am very fortunate that so many other folks have pitched in and helped, and I'm fortunate that some of the things that I let go didn't drag down the FACLT before it could get started.

I would recommend that someone who wants to start up a community land trust budget their time in the following way: for about six months, spend twenty hours per week meeting with local people, and give them written materials on community land trusts (I.C.E. has all kinds of literature that would be useful for this). If you are fortunate enough to be able to get paid for doing this, put even more time into this crucial first step. If you have another full-time job, plan to sacrifice many evenings and week-ends, and a few days of pay, to get out to everyone you

can think of. Do it in person - mailings and phone calls are O.K. to schedule a meeting, but will not get very many people committed to the effort. People can feel your commitment when they can look you in the eyes (that is why door-to-door canvassers are able to raise hundreds of dollars each night).

After talking to everyone, invite them all to a meeting to meet each other and talk about what they would want to do with the community land trust. Publicize this meeting in the local papers, and invite the press. Once again, ask them what they want to do, don't tell them how you will do it for them - there's only been a few successful saviors in history, and that success is relative! They'll crucify you if you are pushing for changes, and something goes wrong. If people democratically decide what they want to do, then they will help to do it, and if something goes wrong, everyone shares the blame, and it can usually be turned into a positive learning experience.

Hold several discussion meetings, and try to turn people out to them if they missed the earlier ones. When you feel that the group has reached a concensus on the need to start a community land trust to work on certain goals, then ask for a motion from the group, get it seconded, discuss it, and have a vote. Then elect the incorporators, who should also be the interim Board of Directors. Try to get at least nine people for this, with the majority being from the area to be covered. Now you have laid a foundation that you can build on, from the grassroots level on up! If the people lead, the leaders will eventually follow!

After incorporating, form some committees, write some grants, collect some dues, and, with-in six months to a year, you will be able to open an office and hire some staff - maybe you

will be hired by the group. Remember to delegate tasks and responsibilities - this will take the burden of doing everything off of you, and empower the people who get involved. After all, empowerment is the key to C.E.D.!