

Dec. 12, 2017
West Tisbury Affordable Housing Committee
Minutes

Present: Larry Schubert, Mike Colaneri, Susan Feller, Glenn Hearn, Ted Jochsberger,
Angela Prout and Rise Terney

Absent with Regrets: Vickie Thurber

Also Present: Rhonda Conley and Phillipe Jordi, Executive Director of Island Housing Trust (IHT)

Mike made a motion seconded by Ted to accept the 11-28-17 minutes as written.

VOTE 6 YES 0 NO 1 ABSTAIN

INVOICES-None

NEW BUSINESS-None

ONGOING BUSINESS

57 Rustling Oaks Rd.: Mike reported on his and Rhonda's meeting with Jen Rand and Isabelle Lew on the possible foreclosure of 57 Rustling Oaks Rd. Jen stated that she agrees with Skipper. The town may not spend money on property that the town does not own and the liability that would place on the Town. Isabelle suggested that a letter be drafted for the banks and one for Sarah Cottle. Isabelle will take care of the bank letter encouraging it to hold off on foreclosure proceeding and one for Cottle stating she gives the WTAHC permission to find an eligible purchaser.

Mike stated that he and Rhonda had spoken to Phillipe Jordi about IHT purchasing the property while an eligible purchaser is found. They have the funds and ability to do the necessary cleanup and repairs to the house for sale. Jordi explained how the ground lease which requires a fee paid by the home owner each month keeps IHT informed in a fashion of any financial problems. He suggested that the maximum resale price be lowered. This would leave money for the repairs and clean up. Larry led a discussion of setting a maximum resale price for 57 Rustling Oaks Rd. This will require a letter from Cottle similar to the access letter stating that there is an eligible purchaser. Review of the draft letter found changes will be needed, which include the eligible purchaser language, etc. ***Mike made a motion seconded by Ted that Rhonda draft a letter stating the eligible purchaser language and maximum resale price of \$230,000.00. Rhonda should present this to Cottle for her decision as soon as possible. VOTE 7 YES 0 NO***

Mike suggested that the AHC transfer to IHT the first right of refusal. Jordi stated he has to speak to IHT Board who meets on Sat. Dec.16th. Jordi will ask the Board if they wish to purchase the house and find an eligible purchaser. Rhonda will contact Isabelle (Town Counsel) as to whether a legal document is necessary for this to transpire. ***Mike made a motion seconded by Ted to offer IHT AHC's first right of refusal (within Covenant) to purchase 57 Rustling Oaks Rd. property pending IHT Board meeting if they so vote. VOTE 7 YES 0 NO***

Rhonda will do a site visit with Jordi Wed. at 9AM. Mike asked that IHT if they become owner to have a lottery of eligible purchasers to determine new homeowner.

Scott's Grove: Jordi stated there are some issues with the restricted area around the well. They are dealing with easement or lease with Jen. Either of these will require a town vote requiring a warrant article.

There is also the need to make sure the warrant article for the Town's portion of the required water tank is created.

Flat Point Farm: Mike attended the Planning Board meeting on the Form C for this farm that has already been divided by special permit and is looking to further divide. The Planning Board according to Mike and other members seemed willing to play down the bylaws dealing with affordable lot distribution. Mike stated this new division will create 17 lots with no affordable lots as of yet being supplied. All AHC members that attended were very disappointed with the Planning Board's response to affordable housing and this Form C. Larry stated that it is AHC's responsibility to keep the pressure on the Planning Board and the MVC to get affordable lots out of this project. It has been referred to the MVC as the previous plan in 2009 (see attached-emails).

Courthouse Rd.: There is now title insurance on the property. The selectmen discussed going forward with the 21-E inspection. Jen also told Rhonda there is a process to demolishing the building through the state due to it being 100 years old.

Letter of Agreement: Rhonda stated she spoke with Jordi about the Letter of Agreement. Jordi would like to have something specific in writing within the zoning bylaws. "AHC Guidelines" that are mentioned but not stated within the zoning bylaws would work. Something that would affect all affordable homes and not just this letter between AHC and IHT.

Topic for next meeting: Lambert's Cove property.

Adjourned at 8PM

The next meeting is Jan. 9, 2018 at 6:30 PM in 2nd floor conference rm. Town Hall.

Respectfully submitted by Rhonda Conley

ATTACHMENT

Dec. 12, 2017
West Tisbury Affordable Housing Committee
PO Box 278
West Tisbury, MA 02535
affordhouse@westtisbury-ma.gov

Sarah Cottle
PO Box 9000 PMB 106
Edgartown, MA 02539
sarahcottle4@gmail.com

To Whom It May Concern:

I, Sarah L Cottle Look, give the West Tisbury Affordable Housing Committee (WTAHC) and/or assignee/s the authority to proceed in finding an eligible purchaser for my house at 57 Rustling Oaks Road, West Tisbury. I also give them permission to access and enter my house at 57 Rustling Oaks Road, West Tisbury. The house has been unoccupied for some time. I understand that foreclosure is imminent, although the bank may be willing to work WTAHC and/or assignee/s to avoid foreclosure. I am willing to work with WTAHC and/or assignee/s for purchasing the house. WTAHC and/or assignee/s will then hold a lottery to seek an eligible purchaser for the house.

I understand that the deed to the property is restricted by a covenant. In part the covenant deals with resale and foreclosure on the property. It requires the purchaser to be an eligible purchaser who is determined by WTAHC with the help of DCRHA. WTAHC has set a maximum resale price of **\$230,000.00**.

I understand personal items remain in the house, and that certain conditions require attention and/or repair including but not limited to a car, clothing, furniture, structural issues, and unpaid utilities. I will

remove the personal items I want and I hope to accomplish this by the first of the year. I am unable to address the other issues with the house.

WTAHC and or assignee/s will proceed with all necessary actions to bring the house into good repair, ready for sale. This may include, but is not limited to the following expenses:

1. Hiring a plumber to prepare the pipes for winter and address any water issues;
2. Repairing the broken basement window;
3. Having utilities reinstated;
4. Testing and repairing if necessary heating and utilities;
5. Hiring a cleaning crew and dumpster;
6. Removing the abandoned vehicle on the property;
7. Other necessary repairs

These necessary actions will be the responsibility of WTAHC and/or assignee/s and not recoverable from me at sale of house.

I understand that all outstanding debt, liens on the property and any other institutes/creditors as judged by the courts to have legal rights to payment will be recoverable upon sale of 57 Rustling Oaks, West Tisbury.

Sincerely,

Sarah L Cottle Look

EMAILS PERTAINING TO FLAT POINT FARM FORM C

From: Jane Rossi <planningboard@westtisbury-ma.gov>
Sent: Thursday, November 16, 2017 9:08 AM
To: Rhonda Conley (affordhouse@westtisbury-ma.gov)
Subject: FW: Williams
Attachments: 2017-05-19 1476 Form B-PLAN C.pdf
Hi Rhonda,
I sent the attached to Michael but you may want to have a copy.
Thanks,
Jane

From: Reid Silva [mailto:reid@vlse.net]
Sent: Wednesday, November 15, 2017 6:11 PM
To: 'Jane Rossi'
Subject: RE: Williams
Hi Jane, here is a pdf of the plan.
Regards,
Reid G. Silva, PE PLS
From: Jane Rossi [mailto:planningboard@westtisbury-ma.gov]
Sent: Wednesday, November 15, 2017 10:54 AM
To: Reid Silva
Subject: RE: Williams
Hi Reid,
Would you please email me a copy of the proposed Fischer Form B plan? I need a small version of it.
Thanks,
Jane

From: Reid Silva [mailto:reid@vlse.net]
Sent: Thursday, November 09, 2017 3:03 PM
To: 'Jane Rossi'
Subject: RE: Williams
Yes, I will have it recorded tomorrow.
Reid G. Silva, PE PLS

From: Jane Rossi [mailto:planningboard@westtisbury-ma.gov]
Sent: Thursday, November 09, 2017 2:04 PM
To: Reid Silva
Subject: Williams
Hi Reid,
Mr. Williams's daughter was just in and she said that her father needs the plan recorded ASAP for estate planning purposes. Hoping you can get it done tomorrow or Monday.
Thanks,
Jane

Jane Rossi, Board Administrator
West Tisbury Planning Board
P.O. Box 278
West Tisbury, MA 02575
Phone: 508-696-0149
Fax: 508-696-0103

From: Paul Foley <foley@mvcommission.org>
Sent: Tuesday, November 21, 2017 10:54 AM
To: Christine Flynn; Rhonda Conley
Cc: Angela Prout; 'Glenn Hearn'; 'Larry Schubert'; Member; Suan Feller; TJOCHSBERGER@aol.com; vickiescoot@gmail.com
Subject: RE: Flat Point Farm Prelim. Estate Plan
Rhonda et al,
Any change to the approved plan must be referred to the MVC for DRI Modification Review. When it gets to the Planning Board I am sure they will refer it to us.
Paul
Paul H. Foley, AICP
DRI Coordinator/ Planner
Martha's Vineyard Commission
508-693-3453 ext. 118
Direct 508-338-7312
foley@mvcommission.org

From: Christine Flynn
Sent: Tuesday, November 21, 2017 10:17 AM
To: Rhonda Conley
Cc: Angela Prout; 'Glenn Hearn'; 'Larry Schubert'; Member; Suan Feller; TJOCHSBERGER@aol.com; vickiescoot@gmail.com; Paul Foley
Subject: RE: Flat Point Farm Prelim. Estate Plan
Morning Rhonda,
I would first reach out to Paul Foley, MVC DRI Coordinator to confirm the DRI Status of the land in question. Paul can help you answer any

compliance issues from the MVC written decision(s). I have copied Paul on this email.

I hope you have a Great Thanksgiving.

Christine

Christine Flynn

Economic Development & Affordable Housing Planner

Martha's Vineyard Commission

www.mvcommission.org

(508) 693-3453 ex. 13

From: Rhonda Conley [mailto:affordhouse@westtisbury-ma.gov]

Sent: Thursday, November 16, 2017 11:43 AM

To: Christine Flynn

Cc: Angela Prout; 'Glenn Hearn'; 'Larry Schubert'; Member; Suan Feller; TJCHSBERGER@aol.com;

vickiescoot@gmail.com

Subject: Flat Point Farm Prelim. Estate Plan

Christine

Not sure who I should contact in the MVC so I came to you. The AHC has some questions about DRI#34-M2 Decision back on Jan. 7, 2010. This was a subdivision on a form B that according to assessor's records if developed never was recorded as such. Now this parcel is being considered as a Form C development. The youth lots of MVC decision were never awarded. How does this work when the first decision was dropped and a new development is being considered? Does the MVC decision earlier have any bearing? If I need to speak to someone else within the MVC please let me know. Mean time I will send the revised development map. If you need the previous development map please let me know. It shows the youth lots as they were called then.

Thanks Rhonda