

Town of West Tisbury
Community Preservation Committee (CPC)
Meeting Minutes – October 30, 2019, 5:30 pm
Howes House

The meeting was called to order by Chairman Bea Phear, at 5:30 pm.

Present: Bea Phear, Ted Jochsberger, John Rau, Jeffrey DuBard, John Brannen,
Gary Montrowl, Lesley Eaton, Nancy Dole

Others: Heidi Dietterich, Administrative Assistant

Old Business:

The minutes from the October 2, 2019 meeting were reviewed. On a motion made by John Brannen, seconded by Gary Montrowl, the minutes were approved, with Nancy Dole abstaining.

Chairman Phear reported that Dietterich had researched where the ‘Big Toy’ project for the West Tisbury school had been approved in April 2016. This warrant article was not listed in the usual way with the other CPC articles and had been folded into other municipal warrant articles. This project is now showing on current liaison project charts and is also a completed project.

A response from Philippe Jordi, of Island Housing Trust had been received. He addressed the Old Court House Road project which only included two rental units, so local preference was offered to just one town, with West Tisbury being that preference. He also reported that the Perlman House application would house seven rental apartments and the Daggett property was for two ownership opportunities. IHT had asked Tisbury, Oak Bluffs, Edgartown and West Tisbury for CPC funding for this project. Jordi did not list his priorities for funding these three projects. Chairman Phear said the Committee would ask for his prioritization preferences during his interview.

The Committee discussed the Old Court House Road project. The Committee had received a letter from Jill Napier regarding this project. She has a strong opinion about the project being a single family home, not two apartments. Dietterich had sent an email to Napier asking her to attend the November 13, 2019 CPC meeting where this application will be reviewed in a public hearing. The Committee again discussed the project and how it came to be a duplex and how the Affordable Housing Committee had conducted the process. It was noted that Lesley Eaton would recuse from the vote on this project since Jill Napier is her daughter-in-law and Napier and her husband live in the abutting property. Neighbors had preferred a single family home site. The way it is proposed currently, DCRHA would manage the rentals of the duplex. If this project were switched to a single moderate income home site with a rental apartment, that would relieve the DCRHA of having to manage this rental. Ted Jochsberger shared that it was not true about “all” people not supporting this project. There was also misrepresentation or miscommunication of some of the CPC members’ comments from the last CPC meeting. It was noted that during the Housing Committee’s hearings, neighbors had come, discussed and shared their issues, the Housing Committee had moved their agendas around to better accommodate the citizens’ input and considered it thoughtfully.

A handout on conflict of interest was distributed in the agenda packet from the Community Preservation Coalition. It states that CPC members are appointed to represent their respective boards. The criteria that would help make decisions for the CPC would differ—one with regulatory authority and the other (CPC) making funding recommendations. Members would still need to remain objective on both boards, basing their votes on the facts that are pertinent to that board's jurisdiction. Simply put, a municipal employee would be acting in the public's interest, not a private interest, so there is not likely to be a conflict of interest. Also, Section 19 of the Law, a municipal employee is prohibited from participating in public matters that have a financial interest to themselves, their family, a business entity they are involved with, or an employer.

The Committee reviewed the information received from the Community Preservation Coalition responding to the question of eligibility for both the Public Library Bike Rack application and the Lambert's Cove Beach Parking Lot application. Both of these applications were deemed ineligible because they were municipal properties, not protected open space/recreation land.

New Business:

The Committee received this year's final applications and reviewed them for completion and discussed questions that would need to be addressed during the public hearing interviews.

MV Museum – The question of the Museum being open to the public, but the public having to pay for entry, had been addressed in a prior year and it is allowable.

MV Agricultural Society – The Committee discussed how the applicant's author, Susan Klein, does most of the work and sends out the documents for professional preservation.

Daggett Avenue Townhouses – The Committee discussed how Island Housing Trust bought the property from the seller and will resell the guesthouse to the original seller, and sell the other two units to new buyers. There will be a permanent affordable housing deed restriction on each unit. The Committee would like the applicant to know if the seller's unit is also a deed restricted unit. They also want to make sure that the two new units are for sale, not rent.

Perlman House Apartments – Seven apartments are being developed. The Committee wants to determine if the units are for 80 to 100% AMI, or 100-120% AMI. The CPC would like to know where the money is coming from for this project—is it a 'Workforce Grant', a Massachusetts Housing Partnership' grant? It was discussed that the CPA does not have enough money to fund all the projects this year and that if the Committee agrees a project is worthy of CPA funding it will need to defend the project on Town floor. The Committee would also like to know that if this project is recommended for funding, why would there just be only a one room preference for West Tisbury residents?

Old Court House Road Apartments – The Committee discussed the objections from the neighborhood, and who and why are the people objecting? It was again noted that Jill Napier (an abutter) had contacted the CPC about this project and was vocal about the neighborhood being against it. She indicated the neighborhood wanted to see families in single family homes, not transient renters. The Affordable Housing committee had agreed to have the Island Housing Trust be responsible for this project's development and the DCRHA would be managing the rentals.

West Tisbury Municipal Housing Trust Fund – The committee noted that the Affordable Housing Committee had not applied for funding last year. The CPC would like to know if there are any properties the AHC/Trust is looking at in particular, and what was the current balance in the Trust Fund? How has the money been spent? Lesley Eaton asked if this fund could be burnt up by paying legal counsel on deed

restrictions or foreclosures, and if the Trust can ‘rescue’ a house from foreclosure. The Fund does pay legal fees with these monies.

Harbor Homes of Martha’s Vineyard – It was noted that questions remain about who would be the owner of the property, since Island Housing Trust is now involved. Will Harbor Homes be the owner or tenant? If they are the tenant, last year’s 2018 approved warrant article #57 would need to be amended to address this change. It was noted that all six Island towns would benefit from this project and that all the towns should contribute to funding it. The existing monies they have on hand, \$124,750 came from West Tisbury and Chilmark—where have other funds come from to support this effort? Tax Credits? Will the Permanent Endowment be acting as their fiscal agent, parking their funds/donations there? Who will be paying for their programs, and where will their fees be sourced? HUD or Welfare?

The Committee paused here and decided that the applications above would be the interviewees for the November 13, 2019 public hearing. The following applications will be interviewed at the December 11, 2019 public hearing.

Mill Brook Watershed Management Plan – The Committee asked how this project was progressing. The answer was it has not progressed and no committee had been formed to manage this project. Brannen shared that the Conservation Committee had not heard from them yet. The CPC agreed that they need to come back next year if nothing has been completed. This project’s management team and the timeline will be questions that need to be addressed.

MV Public Charter School Playground – Several CPC members had stopped to look at the existing playground which was noted as ‘sad’. They agreed that the school did need a playground or big toy. The CPC reviewed the deed for the school. It was noted that the non-profit group, “Options in Education” owns the land, not the School. Dieterich suggested a deed restriction claw back on the funding could be put in place on this project if the OIE and MVCSP lease falls apart in the future.

Old County Road Shared Use Path Study – The Committee agreed it was a great idea. Rau indicated he had walked the path and it was a path/trail, not a municipal sidewalk in the road right of way (which would have made the project ineligible). The Committee will want to ask how this shared use path would obtain the land needed to install it, through eminent domain?

West Tisbury School Irrigation Upgrade – The Field Fund would be the contractor for installing this project. It was noted that these fields have existing irrigation. This project will level and redo the field with seeding and installation of a state of the art irrigation system. The CPC would ask the applicant if the field really needs the additional irrigation, who is currently maintaining the field and irrigation system, is it in the existing school budget, and what would the current and future cost be of maintenance be to the Town? They would like to know who is currently maintaining the field?

With no further business, the meeting was adjourned at 6:55 pm.

Respectfully submitted,

Heidi J. Dieterich
Administrative Assistant