

TOWN OF WEST TISBURY
COMMUNITY PRESERVATION COMMITTEE MEETING
Wednesday, March 28, 2018, 5:30 pm
Approved on April 25, 2018

Present: Bea Phear-chair, Cheryl Lowe, Dale Julier, Lesley Eaton, Chuck Hodgkinson and Pam Thors, Administrative Assistant

Absent, Glenn Hearn, Scott Stearns, Tara Whiting, Nancy Dole

Bea called the meeting to order at 5:30pm. She thanked Rhonda Conley and Michael Colaneri from the Affordable Housing Committee for coming. She stated that Doug Ruskin, as an individual, had suggested the following amendment to the article on town meeting floor;

ARTICLE 32: To see if the Town will vote to appropriate the sum of Three Hundred Thousand Dollars (\$300,000) from the Community Preservation Undesignated Reserve ~~with Two Hundred Fifty Thousand Dollars (\$250,000) set aside for the purpose of an Affordable Housing Emergency Reserve to be used appropriately by the Affordable Housing Trust when an affordable home is in danger of foreclosure or otherwise in preserving affordability of present or future affordable homes. The remaining Fifty Thousand Dollars (\$50,000) would be transferred to the Trust~~ for future use toward affordable housing opportunities: search, predevelopment, legal fees associated with such, and various other affordable housing causes that meet CPA guidelines.

Rationale: The stricken language imposes too great a restriction on the Affordable Housing Trust and its Trustees. The Affordable Housing Trust exists solely for the purpose of funding affordable housing work and affordable housing initiatives under the strict guidelines of MGL Ch. 44 Section 55C. West Tisbury's Trust is governed by a board of up to 11 Trustees consisting of the entire Board of Selectmen and the balance from the Affordable Housing Committee; currently a total of 9. Regardless of Board size, a quorum of 7 members is required to expend Trust funds. As such, the Trustees have the appropriate oversight to responsibly manage these funds. Additional restrictions significantly hamper their ability to take advantage of opportunities as they occur – the entire purpose for forming the trust in the first place. We should trust the Affordable Housing Trustees, just as we trust the CPC to appropriately manage their responsibilities.

Chuck explained that Doug had brought the issue to the Finance Committee asking them to approve the amendment. The Fincom refused based on their opinion on the importance of opacity. He said that he had suggested to Doug that he present the article as an individual.

Who should make the amendment on ATM floor was discussed.

Rhonda stated that the application should be corrected, citing language that should not have been included. Michael said that the warrant article amendment suggested by Doug was approved at the last meeting of the Affordable Housing Committee. Dale explained that originally, she thought that the warrant article should be specific enough to satisfy the taxpayers at Annual Town Meeting but that maybe the warrant article approved was too specific. Chuck stated that the Affordable Housing Trust Charter allows them to use money as they see fit for all different aspects of pursuit of Affordable Housing. It was verified that payment of back mortgage payments was not allowable. It was agreed that the article should be amended per Doug's suggestion.

Lesley made a motion to approve the amendment as written with the addition of "Affordable Housing Trust". Dale seconded the motion. The motion passed 4 in favor, 1 opposed.

Bea reiterated the points of the email from Stuart Saginor;

- 1) That acquiring a house in foreclosure is allowable but the CPC cannot finance a mortgage for an existing home.
- 2) When the Affordable Housing Trust gets the funds, an Affordable Housing Agreement needs to be executed.

Michael stated that Scott's Grove is estimated to hold the first lottery sometime in August. He said that the town wide list of applicants is around 200. The Old Courthouse Rd building was also discussed. Bea brought up the septic issues. Michael suggested that there are ways to go forward despite these issues.

The minutes of the meeting of March 7th were reviewed and approved with three abstentions, (Dale, Lesley and Chuck)

The following invoice was reviewed and approved, pending review and approval by Scott Stearns project liaison.
Island Housing Trust-Scotts Grove Affordable Housing project-\$230,222.56

Cheryl made a motion to approve the Scott's Grove Invoice pending review by Scott Stearns, project liaison. Dale seconded the motion. The vote on the motion was unanimous in favor.

Chuck asked Pam to email project status reports and supporting documentation to the committee prior to the meetings for their review. Pam agreed to do so.

The Acton Case in relation to the West Tisbury Congregational Church application was discussed. It was agreed that Town Counsel be called on for their legal opinion prior to moving forward with the application. Bea suggested that the request for Town Counsel review be on the agenda for the next meeting when there may be more committee members in attendance.

The list of presenters at ATM was reviewed. Pam stated that there were a number of people who had not responded to her email requests so tomorrow she would try calling people instead to get the list updated as soon as possible.

The execution of the Scotts Grove LLC was discussed. Pam had provided a certificate of evidence of Property Insurance that had been sent by Island Housing Trust which showed Scotts Grove LLC as a Supplemental Name. Cheryl stated that she would still like to see evidence of liability insurance for Scotts Grove LLC. Pam said she would contact Philippe.

Pam explained the email from Michael Steinitz, Massachusetts Historical Commission (MHC), regarding the Historic Deed Restriction for the Old Mill. The conclusion of the discussion was that a historic deed restriction not involving the MHC can only restrict the deed for 30 years, which constitutes enough benefit to the town to satisfy most requests for CPA funding.

Bea asked for any more questions or comments relating to the agenda or the upcoming Annual Town Meeting. There were none.

The meeting adjourned at 6:45pm.

Respectfully Submitted,
Pam Thors, Administrative Assistant