

November 30, 2022

Subject; Red Arrow proposal review by West Tisbury ZBA

Summery;

This proposal to construct four dwellings on 3.4 acres of a subdivided portion of designated "Open Space" Co-Housing property, raises many questions and concerns.

This proposed "Modification to a previous 1998 40-B", must meet specific criteria and I urge the ZBA seek a legal review and comments from Mass Housing, to assure all the current 40-B criteria are met.

Such a modification must adhere to the standards of a 40-B modification or a new 40-B application must be applied for, prior to your review.

Specific questions must be answered and documented, to assure that the fair housing and zoning laws are being applied and are met.

That a Fair Housing marketing plan be made public and part of the record.

That the restrictive max resale and other restrictions in the covenant, be made available to the public.

That the proposed monitoring agent be made known and documented for the record.

That all local zoning and 40-B rules regulations be met, and the criteria be explained and justified, and are made available for public review.

I suggest that this review can only be done by an objective third party, Mass Housing.

Their comments and recommendations are needed for a fair review of this proposal.
This review must be done by Mass Housing, and by the public out reach coordinator Laura Shubert, and her legal team

Once Mass Housing has completed this review, and all document have been made public, should the ZBA hearing and review go forward. 4

This proposal is a complex proposal with a long history and multiple issues, that include a questionable commercial component to the original 40-B in 1998, and more than one modification to expand that commercial use.

Also of concern is the questionable legal ability to subdivide off this 3+ acre lot, from the designated "Open Space" portion of the Co-Housing original 40-B parcel.

That all being a fact, I do believe that an objective Mass Housing review would be in the towns and the applicants best interest and I urge the ZBA to seek such a review..

Respectfully submitted, ,



Michael Colaneri
41 Rogers Path
WT

10/23/2022

Dear West Tisbury ZBA

Re: proposed Red Arrow subdivision and proposed construction of four housing units on a subdivided portion of the Co-Housing 40-B properties open space.

This proposal has many questions that must be answered.

Please see the below documents and requests to the MVC DRI coordinator Alex Alvin , Adan Turner and Christine Flynn with housing on 9/21/2022 and urged them to seek answers and a Mass Housing staff review review of this property with a complex history as a very unusual DRI proposal.

To date I have not received one piece of correspondence, not one word via email or phone, from anyone at the MVC, or that any of the questions that I presented, have been addressed or answered.

I have spoken to Laura Shubert , the community outreach individual at Mass Housing. She strongly suggests that this project, and the 40-B modification, be at the very least, reviewed for compliance with Fair Housing practices, provide an approved marketing plan and address compliance issues, on the subdivision of the Co-Housing 40-B, by Mass Housing.

This review should take place in a timely manner and should not be viewed as opposition to the project before you.

Providing the answers to these questions, and receiving the Mass Housing review, could allay much of the communities' concerns and questions, as this property has a long history of questionable legal status and even more questionable approvals at the MVC and the town of West Tisbury ZBA.

Regards.
M. Colaneri

For the WT ZBA FYI
Many of the emails to the MVC
8/23/2022

Alex;

Please read, review, and note ,that the 1998 MVC/ZBA decision and the details under which it was approved, have been incrementally expanded and grown via multiple DRI modifications, far beyond the original intent of the permit that was granted at that time to South Mountain Co and C0-Housing.

Again I ask,

Why wasn't there a DHCD review? With that review not being done , means this "alleged 40-B" was in words only and a major review omission by DHCD.

All who are asked assures me this was a 40-B. The I say it is subject to all rules and regulations related to a 40-B. It may also have been a flawed approval and have questionable legal standing by the MVC and the ZBA.

The document has many conditions and refers to the "Open Space" of Co-Housing parcel, which infers that no further subdivision may be allowed.

David's history is key to any further division of the co-housing property as applied for by Red Arrow and S M Co.

I am a staunch supporter of affordable housing and the great need that has existed for many years now, but please be mindful that we are a state and town or rules regulations and laws.

I do not support proposals of this type of development/housing at any cost, like many seem to think is defensible.

Please distribute to MVC members and staff for the Red Arrow DRI record.

Regards.
M Colaneri



8/23/2022

FYI: attached is the ZBA Coho decision dated 7/22/98 which follows and refers to the MVC Coho decision of 6-25-98. Both reference 40B but the process does not appear to have been reviewed by DHCD and approved before going to the ZBA. At least, there is no such record that I have seen.

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