**West Tisbury Affordable Housing Committee**

**August 08, 2023**

**Minutes**

**Completed Draft**

**Present**: Jefrey DuBard, Amy Upton, Simon Bolin, Keith McGuire, Island Housing Trust, Wanda Blake Higgins, Assistant Administrator, **Via Zoom:** Kanta Lipsky, Ivory Littlefield, Sara Rosenthal ( 401 State Road abutter), Laura Silber of MV commission, Shanette Deleon of AHC Edgartown

**Absent:** Julius Lowe, Michael Colenari

At 6:36 pm Jefrey request the meeting be called to order, Simon Bolin and Amy Upton 2nd

No invoices due. ~ Review of 07/11/2023 will not be approved at this time because committee needs more time to review them. Jefrey announces that he has stepped down from the IHT Island Housing Trust board in order to avoid a potential conflict of interest and apologizes for the oversight.

**IHT Report : ( 1840 )**

**401 State Road WT MA**

***Keith reports:***  IHT is waiting on the engineer to finish the survey and the drawings showing the design idea of where the house, well, and septic will be placed on the property. The well diggers are ready to begin. Water testing will follow. Keith has, also reached out to the West Tisbury Town Fire Chief to decide on a Sprinkler System vs a Fire Cistern. Keith has learned at Scott’s Grove that there’s a Cistern Fund available, and based on a particular formula will help with funding. Once IHT receives the information will decide on which system to go with Sprinkler or Cistern. We’re trying to get on the West Tisbury Town Planning board schedule for September if our surveys are done, and we’re trying to get online with the MVC, as well. We’re

(401 State Road) in the watershed of Tashmoo and on a road district which may cause an issue for MVC.

I’ve reached out to traffic experts/consultants, but haven’t heard back from anyone, yet, but I did hear back from the West Tisbury Town Highway Dept. Chief Richard Olson, and he’s okay with the first place we staked out the driveway as long as we take down some trees to allow visibility.

**Other IHT Business:**

***Keith reports:*** IHT would like to include WTAHC in the discussion and overall plan of budgeting and funding of our projects. We have a lot of projects: Southern Tier in Oak Bluffs, Mashacket in Edgartown, 401 State Road in West Tisbury. After several years, we have 48 Old Courthouse Road in West Tisbury, which IHT envisions to be housing for teachers and school employees from 8 departments. We have 88 Pin Oak Circle in West Tisbury, a small property offered at a reasonable price, Cat Hollow and another small lot in Vineyard Haven. So, IHT has hire a new real estate director with applicable expertise. We’re enlarging our capacity and our fund-raising ability quite successfully to move forward managing all of our projects simultaneously. I have some handouts to share called ***Opportunities for Impact*** that speaks on strategies which will help us decide which projects to ask which town CPCs money for. There’re also opportunities for towns to assist each other on projects. Though it is a rough estimate of our strategy and focus, we’d like to share it as a work in progress. ***Jefrey adds:*** there's almost an expectation that a significant amount of that funding is going to come from CPC and I think it's worth exploring other opportunities that are out there. ***Keith continues:*** IHT is going to look into State, Federal and private funding. However, in most cases they ‘ll be looking into whether or not the town supports a program or project before proceeding. So, public support is important to progress in fund raising on these levels. (referring to ***Sara Rosenthal asks referring back to 401 State Road:*** has a decision been made, yet as to where the entrance and bus stop will be? ***Keith replies:*** we’re still waiting on the experts and studies on best and safest location. I asked MVC but don’t do studies, they’ll provide raw data and will react to ours.

**88 Pin Oak Circle: ( 1855 )**

***Keith reports:*** Pam Scott has been working on 88 Pin Oak Circle which is a small +/- 3-acre lot. ***Simon Bolin corrects:*** It is just under +/- 1 acre. ***Keith continues:*** fitting perfectly under West Tisbury Affordable Housing Bylaws will allow us to build 2 units totaling 3 bedrooms under 1 structure. We can’t close on the property until we have approval from WT Town Planning Board scheduled for August 21, 2023.

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We have a designed planned, and are also seeking support from the WTAHC. IHT also, intends to seek similar small either duplex or single home projects in the future island wide.

***Jefrey explains the Bylaw:*** *One can build while meeting the Board of Health restrictions as many dwellings as will allow for proper well and septic separation, as long as 25% of bedrooms are allotted to Afford Housing.*

**88 Pin Oak Circle cont.*: Jefrey clarifies the units’ description:*** So, the 2-bedroom unit on the first floor will be restricted to year-round, occupancy or municipal nonprofit emergency services and similar residents who do not meet affordable income restrictions. ***He continues:*** But, it has to be a year-round or close to year-round resident with a 240 % AMI limit on the unit, so not to price the year-round resident out.

***Amy elaborates:*** This should address the “missing middle” range of residence who are not in Affordable rate vs Market rate, making it attainable for the middle range residents.  ***Keith replies:*** These smaller projects take the same amount of project management as larger ones, but have more difficulty in raising funds, and there’s no CPC or State money for them. IHT is trying to keep this as open and as undefined as possible just to be fiscally responsible. If donors want income requirements at a certain level, then we’ll accommodate, but we didn’t want to tie our hands, so long as we’re following the bylaws. Then we can start to develop it, raise it, then we get people who are interested in supporting then we IHT can earmark money to bring it to what ever level we can afford. ***Simon clarifies the lot size to be .46 acre = approximately 20,000 sf, and asks:*** How can you build in range with lot size so small? ***Keith replies***: Because we use the Clean ll system using nitrogen and bylaws allow a build on the none conforming properties to help with housing. IHT need a special permit from the WT Planning board to proceed, and support for this project from WTAHC would carry weight. We’re seeking WTAHC support in principle for IHT building of units on smaller lots that will be made for Affordable Housing, and year-round support housing using these by laws, including ( if you wish to add certain constraints). ***Laura asks:*** *which bylaw is being applied to this project****. Keith replies:*** *Multi Family by special permit.* ***Ivory comment of concern for not having affordable housing control of the first floor, but supports the project as a concept of creating affordable housing. Jefrey agrees with concern because people are so desperate for year-round housing the could over reach and put themselves in financial risk. Laura asks:*** *which bylaw is being applied to this project****. Keith replies:*** *Multi Family by special permit.* ***Laura concurs: if so, then the bylaw is 4.4-3 under section B. Amy supports*** *the WT bylaws as being well thought out.* ***Ivory asks****: is it IHT intention to sell the property with affordable structure on it or keep the property and rent the 1- and 2-bedroom units?* ***Keith answers:*** *I believe it is to own the land and lease the house long term as we do with all of our Land Trust properties which will give us control of affordability. We are considering a partner to own the unit and manage renting it out like we do with the hospital. We’ll be seeking income qualified through the Dukes County Regional Housing Authority – DCRHA*

***\*\* The WTAHC votes to support the conceptual phase of 88 Pin Oak Circle project and to write a letter of support to the Planning Board. Amy Upton makes a motion in favor, Kanta Lipsky 2nd the motion.***

***Jefrey takes a vote and all are in fav*or:** *Ivory Littlefield, Kanta Lipsky, Amy Upton, Simon Bolin,*

*Jefrey DuBard.*

**ADU Guidelines Review: ( 1920 )**

We have agreed to raise the existing AMI from 80% to 140% as we continue to work on the draft. We have made significant changes to the draft to the point we are ready to finalize it. We should have a Trust meeting beforehand because some members of the Select Board will be there to discuss this further and we can get their feedback then we want to bring it to the Select Board. ***Laura states*** there were a few edits that Wanda did a good job of keeping in blue, and there a couple of minor edits like whether or not to Outline the Program Administrator’s role. ***Amy states:*** This part is still too premature to outline. ***Laura agrees*** the list of Program Administrator’s duties may be something to run by the Select Board and ask if they would like some input on that, and let us know if it’s ready to pass to Town Council. Then put in the by law being referenced. The reference to the 10-year Forgivable Loan ( whether or not to put metrics in) we all agreed to just remove everything in Green. (pg. 3) ***\*\*Who handles the lease-up…e***tc. will be removed become it’s covered under the body of language. And, finally it was decided by the committee that DCRHA does all the income qualification, and the program administrator and the West Tisbury Affordable Housing Committee review and approve. (pg. 4 )

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**Tara Kenney – Accessary Dwelling: ( 1930 *)*** believes there’s been a disconnect of the homeowners of Accessary Apartments from management overseeing this program. ***Jefrey replies:*** it’s time for monitoring, managing, and oversight because there’s become uncertainty as we’ve outreached and surpassed our capabilities. ***Amy elaborates:*** We are volunteers trying to offer a new program, but we’re realizing that we’re not managing well what we have, now. ***Tara continues:*** I’ve been going along with the program following the rules, filling out the lease, filling out the paperwork, and dropping it off, getting it all done in a timely manner, but not getting results. They’re supposed to put part of the qualification money into the account; they forget, so I pick it up to put into the account. I’m putting in hours and hours of time to make this work, but can’t get a response to my questions: 1. Why was my tenant disqualified for income when she had earned more in her previous 2 years? 2. Why am I now learning about a tax incentive offered from 2018 to home owners who rent and offer Affordable Housing on their properties, and no one let us know? That’s a lot of money I have lost out on. Tara doesn’t recommend anyone do this because she’s had such a discouraging experience. Although she believes everyone’s heart in in the right place there’s a lot of ill to undo, like 5 years of tax credit. ***Jefrey asks:*** have you looked into what tax credits and tax incentives might be available to you as a home owner in this program? ***Tara replies:*** I never imaged that somebody deliberately didn’t tell us. ***Jefrey asks:*** Do you know that someone deliberately didn’t tell you? ***Tara replies:*** They (Affordable Housing) knew that we were getting (qualified for) credits but we weren’t informed, and we didn’t know. (1940)

***Laura asks:*** Can you clarify which taxes you’re referring to income taxes or property tax? ***Tara replies:*** property taxes. ***Laura clarifies:*** So, what you're saying is, the town didn't notify you that you were eligible for a reduction in your property taxes because you were renting out an affordable unit. Is that where you're saying? ***Tara:*** Yes. ***Amy asks Laura:*** how can we help these home owners properly navigate through these programs? ***Laura answers:*** These are very basic policy issues that need to be resolved by the town**,** by the Select Board and the Affordable Housing Committee, in conjunction with each other. You are the ones who oversee affordable housing for the town of West Tisbury. It sounds like the onus is being left up to the property owner right, and it appears there are basic policy issues with some policy decisions that need to be addressed. ***Jefrey replies: W***e are going to figure out a time to have a Forum with the town to have these conversations. ***Laura offers:***You want to resolve those policy issues in conjunction with launching the new ADU Program, so that when it rolls out your policy issues are resolved, and your previous customers

(Accessary Apt) are feeling satisfied and taken care of by the town. ***Tara also requests:***

There be an incentivizing option allowing time off from the program, i.e. 6 months or 1 year to allow home owners to do a house swap to be away if they wanted to then go back onto program, so they don’t feel so shacked into the program. ***Jefrey responds:*** In my 8 years of being involved in this housing program it is the worst it’s ever been, Affordable housing is at crisis level, and we aren’t equipped enough to keep up with the demand, but we’re trying our best. He asks Wanda to make a note to continue the discussion with the committee asap to resolve issues.

***Laura offers:*** The owner occupancy issue that Tara’s bringing up is something other towns and across the Cape are reconsidering because it’s been disincentivizing owners to create affordable housing. They don’t want to have to remove their tenant in order to rent out their primary residence. The WTAHC should reconsider the owner occupancy piece and bring it up with the Planning Board to allow for owner sabbatical. ***Simon urges;*** We also need to get in touch with these other 41 Accessary Apt home owners to find out if they’ve been having trouble with the program, then plan to meet on the matter. ***Laura adds:***  A lot of the policy pieces can be like readily remedied by the affordable Housing Committee and the Select Board. If you have the list with contact information for all the homeowners. Then, for instance, when the West history affordable Housing committee votes to raise the Ami Cap to 140%. A notice should go out to all 41 homeowners, notifying them of the change in the program. And then go forward.

**New Business: (1955) *Committee assignments –*** Ivory Littlefield will begin discussing his assignment at next meeting. He requests we take 15 minutes at each meeting to discuss what we could be doing and give input about each member’s assignment. ***Amy asks:*** the interim chair and vice chair to be made official. ***Jefrey:*** agrees, but would like a full committee be present at the time. After further a bit discussion…

**Jefrey make a Motion to adjourn 8:02 pm Amy 1st Simon 2nd**

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