

Oct. 22, 2019
West Tisbury Affordable Housing Committee
Minutes

Present: Larry Schubert, Mike Colaneri, Jeffrey Dubard, Ted Jochsberger, John Rau
and Rise Terney

Absent with Regrets: Angela Prout

Also Present: Rhonda Conley

Colaneri made a motion seconded by Dubard to accept the 10-8-19 minutes with corrections and amendments. **VOTE 4 YES 0 NO 2 ABSTAIN**

ANNOUNCEMENTS and CORRESPONDENCE

Letters to Editors: Conley reported the MV Times did not have anything in the paper. The Gazette handled the letter as an article. They felt the letter was an announcement and not a letter to the editor.

Land Bank: Schubert stated he spoke to James Lengyel. Schubert suggested to the Land Bank director with the great need for housing that the Land Bank move toward a stronger policy toward housing. Lengyel would like to have a sit down with Schubert and go over land in West Tisbury and see what works for housing and conservation. The Makonikey property was brought up again by the director. Colaneri explained that the lot was not conducive to housing.

Letter of Agreement: Conley was asked to speak with Phillippe Jordi (Island Housing Trust) and David Vigeault about the final draft and make sure they understand what the AHC is asking.

Meetings: Counsel on Aging sign unveiling on Oct. 28th at 4:30 PM at Howes House

CPC Application Review on Oct. 30th Town Hall conference rm.

JAHG meeting will be Oct.23rd at MVC at 4 PM in the MVC building

CPC Application Hearing at Howes House Nov.13th at 5:30 PM

Short-term Rental Tax: Colaneri stated that the town had received the first quarter of the year of the tax of \$30,000.00. This will go into the town general fund to be decided how to spend.

UPDATES

Job Description: Job descriptions were distributed. Conley said that the AHC and CPC Administrator Assistant positions were not upgraded to Administrator due to the large increase in grade and steps stated the draft memo. A new position was created (Admin. Asst. II). Conley would like to appeal the consultant's decision to the Personnel Board. The committee stated their support of such.

16 Old Courthouse Rd.: Conley stated that the Land Disposition Agreement was with the selectmen for approval and signature.

Planning Board Bylaw Changes: Several members went to the Planning Board meeting to discuss the bylaw changes (see attached). The definitions will be changed to be in line with state definitions. Rhonda will follow up on a few points. Schubert would also like to meet with Conley and Joe Tierney, Building Inspector, to improve several bylaws dealing with housing.

Housing Ad: Postponed until Prout can attend meeting.

MVC DRI Revisions: No comments now.

ONGOING

Percentage Tax: There was a discussion of the various forms of a housing percentage tax that have been put before the state legislature which have not passed. There is a group pushing to take Land Bank money for a period of time for social needs, housing included.

Adjourned at 8 PM

The next AHC meeting will be Nov. 12th at 6:30 PM in the 2nd floor conference rm. of Town Hall.

The next AHT meeting will be Nov. 26th at 6:30 PM in the 2nd floor conference rm. of Town Hall.

Respectfully submitted by Rhonda Conley

ATTACHMENTS

Proposed Zoning Bylaw Changes Of Section 4.4 and Definitions Nov. 2019

The changes being proposed are for clarification and updating

1. Section 4.4 Preamble last sentence
Remove and replace with: *"In this bylaw wherever occupancy is restricted to island residents such restrictions shall mean that the Affordable Housing committee, the Planning Board, and owners of rental units shall allow occupancy by any resident of Martha's Vineyard to the extent allowed under the Fair Housing Rules.*
2. 4.4-1 B Subordinate dwelling *should be identified as guesthouse*
3. 4.4-2 A *Change to Studio apartment 300 square feet*
B Change to one bedroom apartment 400 sq. ft.
C Change to two bedroom apartment 600 square feet
4. 4.4-3 A *Change title to Affordable Accessory Apartment*

5. 4.4-3 A The following changes to this subsection are
 - A. #2 *Remove Implementation from the Guidelines.*

The following sentence change: *“The maximum rental rate...established annually by the Dukes County Regional Housing Authority (DCRHA)/Affordable Housing Committee (AHC).*

B. Remove #6

C. Create a new #6 which states “At no time shall both the residence and apartment be rented at market rate; one unit must be rented affordably as defined in the Affordable Housing Guidelines

D Remove #8

6. Section 4.4-3 B Multi Family Housing

- A. Planning Board proposed changes with added comments from AHC

- B. Remove from sentence one: *“and provide needed housing for Town residents.”*

- C. Reword after percentage section and covenant imposed by the Affordable Housing Committee *“or a covenant, deed rider, ground lease or other forms of restriction approved by the Affordable Housing Guidelines pursuant to ...”*

- D. End of preamble: *Check with Board of Health as to whether square footage is necessary.*

7. Section 4.4-4A changes

- A. Remove from #1: *“domiciled on Martha’s vineyard year-round*

- B. *Remove from #2 first part of sentence: “In owner occupied buildings and /or properties only (including mixed use buildings and properties)” It should read “Persons employed full-time on Martha’s Vineyard during the summer season...”*

- C. Do we add the following statement back into the bylaw? *“If not rented may be used by owner’s immediate family or a family caregiver”?*

- D. Addition to #3: *“Persons who intend to qualify under subsections 1 or 2 must be qualified as affordable renters by DCRHA through a completed rental application.”*

- E. Add to #3 *“Owners must sign an affidavit stating proof of compliance to above and return to the Affordable Housing Committee.” Remove “and who sign...dwelling unit”*
- F. Section 4.4-4B #1 remains the same.
- G. Section 4.4-4B #2,3,4 and 5 should be under new Section 4.4-4 C
- 8. New Section 4.4-4C Preamble should read *“The owners of regulated apartments shall report to the Affordable Housing Committee every year the status of the affordable accessory apartments”*.
 - A. Remove 4.4-4B #2B
 - B. Add 4.4-4 C #1 which should read *“On or before July 15th of each year owners will receive from AHC these forms: the Maximum Rental Table, Accessary Apartment Occupancy Status and Affirmation forms to be filled out and signed by the apartment owner and renter. These forms are to be returned to the AHC within 30 days of receipt along with copies of a signed year-round lease. If a lease is not included an explanation must be enclosed as to why not.*
 - C. #2 shall be replaced with: *“The names of the lessees of the apartment claiming to be year-round domiciliaries and any lease shall state that year-round occupancy is a condition of the lease and shall be included in status report above or”*
 - D. #3 shall be replaced with: *“the names of lessees of apartments to be seasonal employees, together with the proof required for such employment status. Such lessees shall be furnished a statement by the owner that clearly states that occupancy of the apartment is contingent upon their employment and shall be included in the status report.”*
 - E. #5 will become #4
 - F. #4 shall become #5 with these changes *“Failure to comply with the requirements of Section 4.4-4C shall...as provided in Subsection 10.23 (A) an owner who fails to comply ...”*
- 9. Section 4.4-6 Affordable Housing Requirements 3rd line change: of a covenant imposed by the Affordable Housing Committee, *a Martha’s Vineyard Affordable Housing ... to Dukes County Regional Housing Authority or a deed rider approved by AHC pursuant...”*
- 10. Section 4.4-7 Homesite Lots
 - A. Point 5 same as #9 above
 - B. #2 Remove Implentation
 - C. #3 remove Implementation

D. #4 e. sentence 2 shall read *“eligibility shall be income qualified through a DCRHA application approved by AHC. DCRHA shall certify in writing eligibility income level.*

E. #4 f. same as #9 above

11. Section 4.4-7D Preamble change as #9

DEFINITIONS

Suggested changes

Accessory Apartment change to Affordable Accessory Apartment as these are restricted to occupants making 80% or lower of median income.

Affordable Housing with the new stated definition the added line “Income certification will be completed by AHC approved income certifier (DCRHA).”

Community Housing should also have the income qualification as Affordable Housing has

Eligible Purchaser/Lessee needs defined as an Affordable or Community Purchaser and not lumped together so suggest this.

Affordable Eligibility Purchaser/Lessee-Any private purchaser or lessee over the age of 18 who meets the Affordable Housing Committee Guidelines for affordable housing in effect at time of purchase or lease of a homesite lot or other offered deed restricted property at 80% or below median income

Community Eligible Purchaser/Lessee with the definition presently for Eligible Purchaser/Lessee but with Community added to definition.

Affordable Housing Covenant add the following: “A Covenant which includes deed rider, ground lease or any other form of restriction upon the property ...”

Also suggest add: “In no event shall the resale price be greater than the purchase price for which a credit-worthy Eligible Purchaser of the appropriate household size appropriated for the Premises earning no more than the Area median income level stated within the covenant can afford.

Deed Rider Add to definitions with the definition See covenant

Ground Lease add with the definition “The leasing of property being held as affordable or community housing with restrictions on the property as in a covenant. See covenant.

Homesite Lot add and/or community after affordable

Nonconforming Lot suggested addition though measurements may not meet buildable land may under special permit meet homesite lot requirements.

Substandard Dwelling suggested addition a dwelling unit” (including guest house)” ...located “or stands alone” on owner-occupied property.