

June 11, 2019
West Tisbury Affordable Housing Committee
Minutes

Present: Larry Schubert, Mike Colaneri, Jeffrey Dubard, Ted Jochsberger and Angela Prout

Absent with Regrets: Susan Feller and Rise Terney

Also Present: Rhonda Conley and George Rogers

ONGOING BUSINESS

57 Rustling Oaks: George Rogers who has a purchase sale agreement with JP Morgan Chase for 57 Rustling Oaks. He was top bidder at foreclosure sale on the property. He came to discuss the affordable housing restrictions on the property as a part of the MVC and West Tisbury Planning Board agreement to the subdivision created in 2000. He asked the committee to sign a Certificate to the effect that they release the housing restriction (see attached). Larry stated that the committee agreed to the removal of the restrictions at foreclosure. There is the issue of the conditions of the subdivision.

Rogers has an attorney who is looking into the legalities. The dilemma is that the Planning Board and the MVC set the restrictions on the home based on a subdivision condition by special permit (see Registry Book 810 Page 182). As the AHC is not involved in this condition of approval they suggested that Rogers speak to the MVC and the Planning Board. Larry stated if released from the condition of approval by the MVC and the Planning Board the certificate will need to be edited, possibly, and reviewed by town counsel. If approved by Town Counsel the AHC will sign the certificate.

Rogers does have a lending institute who is willing to wait for closing if need be. Larry approached the subject of the Affordable Housing Trust buying back the affordability on the property from Rogers if the sale proceeds. Rogers said he would think about the possibility of such.

Mike made a motion seconded by Ted to accept the 5-29-19 minutes with the correction of Trust meeting date. VOTE 4 YES 0 NO 1 ABSTAIN

INVOICES

Town Counsel: Rhonda presented the Reynolds, Rappaport, Kaplan and Hackney invoice. ***Mike made a motion seconded by Angela to pay the further legal fees for 22 Lottie's Lane refinance of \$245.00 and \$73.50 for 57 Rustling Oaks totaling \$318.50. VOTE 4 YES 1 NO***

MV Times: Rhonda presented the invoice from the MVTimes for the 16 Old Courthouse Rd. advertisement. ***Mike made a motion seconded by Ted to recommend to the Trust to pay the MV Times \$144.00 invoice. VOTE 5 YES 0 NO***

ONGOING BUSINESS

Bolin Refinance: Bolin's refinance maximum resale price was set several months back and was restated at \$304,800.00. ***Mike made a motion seconded by Ted to approve Bolin's refinancing loan of \$253,000.00 with Martha's Vineyard Savings Bank at 4.25% for 30 years under the condition that all outstanding loans, liens, etc. on the property are paid in full and that the new covenant sets the future refinancing limit at 80% of property value. VOTE 5 YES 0 NO***

There was another discussion of the town counsel fees and how to bring them down. Rhonda suggested she fill in the documents required and then send to counsel. The committee agreed to this and also discussed again the possibility of charging a fee for refinancing, sale or transfer of the property. Rhonda reminded them at the May 14th meeting members decided to pay for the first time homeowners request a refinance. Further refinancing, etc. request put the burden on the homeowner. One suggestion was to set the fee at \$500.00 even though most refinance legal fees have added up to over

\$1,000.00. This includes the recording fee for the 4 required documents which averages \$400.00. No vote was taken and Rhonda was asked to look at the covenant and the average of the most recent refinanced properties.

Job Classification: Rhonda told the committee the process starts at 1:30 June 12th for the general assembly and her interview is at 3PM. Larry and Mike stated they will be attending.

16 Old Courthouse Rd.: Mike stated that the Bidder's Conference at the property only had two attendees, reps for Habitat for Humanity and IHT.

NEW BUSINESS

CPC Application: There was short discussion of applying for CPA funding of the Trust. **Mike made a motion seconded by Ted to file an application for \$300,000.00. VOTE 5 YES 0 NO**

Rhonda will start the application process.

Mike asked about the previous year monies. Rhonda reminded them that the Trust set aside \$50,000.00 for 16 Old Courthouse Rd. Project of the \$300,000.00 received.

Property Purchases: Mike led a short discussion of finding houses and properties to purchase and convert to affordable housing.

ANNOUNCEMENTS AND CORRESPONDENCE

Grant: After looking at the Grant letter from the DHCD it was discovered that the eligibility criteria disqualifies AHC. The town does not have a signed Community Compact, an ADA Self Evaluation or Transition Plan and must certify that no housing moratoria are in effect. Rhonda will inform Jen of this.

All Island Planning Board meeting will be June 19th in Tisbury

Aquinnah AHC will talk about a housing Bank Thurs. the 20th at 7 PM

REPORTS

ZBA: Larry explained a Land Court decision on merging of 2 lots owned by the same person/s. The court decision states that if 2 lots owned have been merged by zoning bylaw under state law the owner may argue they did not merge. Larry believes this may set a precedent for the future.

Adjourned at 8:15 PM

The next AHC meeting will be June 25th at 6:45 PM in the 2nd floor conference rm. of town hall.

The next Affordable Housing trust meeting will be Tues. June 25th at 6:30 PM in the 2nd floor conference rm. of Town Hall.

Respectfully submitted by Rhonda Conley

ATTACHMENTS

CERTIFICATE

WEST TISBURY AFFORDABLE HOUSING COMMITTEE

Whereas, Sarah L. Cottle (“**Owner**”) and the Town of West Tisbury (the “**Town**”) acting by and through its Affordable Housing Committee (“**AHC**”) did execute that certain Affordable Housing Covenant dated June 11, 2003 and recorded with the Dukes County Registry of Deeds in Book 953, Page 356 (the “**Covenant**”); and

