

July 23, 2019
West Tisbury Affordable Housing Committee
Minutes

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

Absent with Regrets: Jeffrey Dubard, Susan Feller and Rise Terney

Also Present: Rhonda Conley and John Rau

Mike made a motion seconded by Ted to accept the 7-9 and 7-10 2019 minutes with corrections.

VOTE 3 YES 0 NO 1 ABSTAIN

Larry introduced John Rau who has applied to be the AHC alternate. He is a member of the Community Preservation Committee. The other candidate withdrew her application.

Mike made a motion, at the end of the meeting, seconded by Ted to recommend to the Selectmen to accept John Rau as AHC alternate. VOTE 4 YES 0 NO

ONGOING BUSINESS

Employee Upgrade: No report

57 Rustling Oaks: No report

Housing Group: After a brief discussion the members suggest that Jeffrey may be a good choice.

Mike made a motion seconded by Ted to nominate Jeffrey Dubard to the new forming Housing Group.

VOTE 4 YES 0 NO

Ted stated after attending the MVC 40B Forum that a ZBA member should be on the Housing Group.

There is a need to have someone able to interrupt zoning bylaws. Other members agree it makes sense to have a member who knows the zoning bylaws. Ted will proceed with his letter to the Selectmen stating a ZBA member should be added to the Housing Group.

CPA Application: Rhonda informed the members that she has given the CPC the Trust's eligibility application and the application for \$300,000.00 Trust funding.

16 Old Courthouse Rd.: Rhonda stated she read the RFP from IHT and has a few clarifications and questions. She presented the memo from the project consultant and her questions. ***Mike made a motion seconded by Angela for Rhonda to send her clarification questions to IHT and to decide on accepting or not IHT application upon the answers and final review of RFP response. If AHC accepts send onto the Selectmen and Town Counsel for review and decision.***

Letter of Agreement: Postponed to future meeting.

Bollin Refinance: Rhonda stated that there were a few changes to the forms due to her leaving Bollin's wife off of the certificate and covenant. ***Mike made a motion seconded by Ted to approve the refinance forms changes and signing of the documents and send to Selectmen, DCRHA and Town Counsel for approval. VOTE 4 YES 0 NO***

NEW BUSINESS

Home Rental Guidelines: Rhonda has created an affordable homeowner rental guideline. The committee will review at future meeting. There are approximately 41 homeowners these rules will affect.

Covenant: Rhonda stated that the universal deed rider came up again during the Bollin refinancing. The committee decided that the two should be looked at and asked Rhonda to review and bring for a future meeting discussion.

Property Need Advertisement: Angela presented information on ad rates and her idea to have an ad in the Property Value supplement. ***Ted made a motion seconded by Angela to try and get an ad in the Property Value supplement. VOTE 4 YES 0 NO***

Adjourned at 8:10 PM

**The next meeting will be Aug. 13, 2019 at 6:45 PM in the 2nd floor conference rm. of Town Hall.
The next Affordable Housing Trust fund meeting will be Aug. 13, 2019 at 6:30 PM in the 2nd floor conference rm. of Town Hall.**

Respectfully submitted by Rhonda Conley

ATTACHMENTS

Home Rental Guidelines for Affordable Housing

The West Tisbury Affordable Housing Committee wishes to let affordable homeowners understand the Zoning Bylaw Article 4 **with regard to** renting their affordable home. The bylaw under **section** 4.4-7 D states that their dwelling shall be the owner's/**lessee's** primary residence. The bylaw does allow for a maximum allowable rental time per year which is covered within the deed rider (covenant/lease) signed upon purchase or lease of the property. There is also an exception within the bylaw that allows the WTAHC to approve affordable rentals to parties qualified by the WTAHC. These rental request must come to the WTAHC for an exception approval. Please read the zoning bylaw information dealing with affordable housing units and your deedrider. The homeowner will also need to consult **any existing** Association or Condomium **regulations**. Attached as Appendix A to this fact sheet is Article 4 of the Zoning Bylaws.

Any rents, profits or proceeds from any rental **the** home **realized from a** transaction **that** has not received the prior written consent of the WTAHC shall be paid to and shall be the property of the West Tisbury Affordable Housing Trust Fund (WTAHTF) to the fullest extent permitted by law.

Requirements

1. Homeowner must request an exception to the rental rule of their deedrider to WTAHC. **(See Request form Appendix B)**
2. The request must state the reason for the request **(e.g. employment requires temporary relocation, etc.)**
3. The request should **include** all pertinent **property** information (address, number of bedrooms, time frame of rental, **etc.**)
4. The request should include a copy of **the** homeowner's deedrider which will state the base income level allowed for the property. Maximum rents for the home will be established yearly based on the DCHD income table. **(DHD?)**
5. The home under this request must be rented year-round to **an** income qualified tenant.
6. At no time is the rental to be to more than one family or rented as a boarding house.
7. At no time is the home to be rented to a company or employer as a dormitory for employees.
8. The tenant has one, must meet income qualification set by the WTAHC. This is determined by an application (Appendix C). **(Delete "if the owner has one" – if they don't why are they applying?)**
9. If homeowner does not have an eligible tenant the WTAHC and/or Dukes County Regional Housing Authority (DCRHA) may help in finding one.

10. WTAHC may request further information from the homeowner to verify facts.
11. WTAHC upon receiving the request and answers to **all required** questions will inform the homeowner of a review schedule. This **review** will occur at the next available WTAHC meeting time. Meetings are held every 2nd and 4th **Tuesday** of the month at 6:30PM. See website for any changes to this schedule. *(The statement "This may not occur at the next meeting scheduled but at a future meeting" isn't really necessary). (Add website address).*
12. **After** review the WTAHC will determine whether the request will be approved or denied with reasons **for the decision**. This **decision** will be a written **decision** with conditions, if approved. These conditions may **or may not** include or not a maximum rent amount, a lease, home inspection, proof of homeowner insurance or other documents as requested by the WTAHC.

Drafted 7-5-19

Letter of Agreement

This Agreement made this ____ day of ____, 2019 between the Island Housing Trust (IHT), P.O. Box 779, West Tisbury, MA 02575, acting by and through its members and the West Tisbury Affordable Housing Committee (WTAHC), P.O. Box 278, West Tisbury, MA 02575, acting by and through the Town of West Tisbury Board of Selectmen.

Whereas through the activities of the Town and/or the Martha's Vineyard Commission (MVC) building lots/homes become available for lease or sale by the IHT to persons or families of low or moderate income levels and

Whereas the Town has established the Affordable Housing Committee to assist in the distribution of lots/homes to persons or families of low or moderate income levels, by developing criteria for eligibility, resales, repurchases, rentals or other restraints on alienation and duration of such restraints;

Whereas WTAHC has established eligibility criteria for the distribution of lots/homes within the Town to persons or families of low and moderate income levels.

Whereas IHT recognizes that the Town zoning bylaw states under Zoning Bylaw Article 4.4-7 D that the WTAHC Guidelines shall be enforceable by the Town of West Tisbury or its designee and shall limit, in part, the following:

3. The use of the property to one dwelling, which shall be the owner's primary residence;
4. The maximum allowable rental time per year;
5. The rental guidelines and exceptions, if any

As IHT wishes to allow rental of these affordable homes they must comply with number 4 and 5 of this article.

Whereas IHT and WTAHC agree that any rental of affordable homes in the Town under IHT control through deed riders, ground leases or other forms shall at start of rental report to WTAHC the rental of said home.

Whereas the following information shall be provided to WTAHC:

- Rental Criteria
- Homeowner name and address
- Address of said home
- Size of home (including number of bedrooms)
- Name of Eligible Renter
- Address of Renter
- Renter income level
- Rental amount
- Terms of rental agreement
- Explanation why rental is being allowed and length of rental

Whereas IHT and WTAHC agree any home being rented has been rented according to all rental eligibility criteria established by WTAHC

Whereas WTAHC has the right to review and revoke rentals that do not meet rental guidelines as well as set a time limit on the rental.

Whereas Dukes County Regional Housing Authority (DCRHA) has supplied and reviewed an eligibility application. DCRHA has determined the renter's eligibility income level.

Whereas these income levels are based on DCHD income tables provided by DCHD yearly.

Whereas the size and income level of the renter must meet the appropriate size and income level for the home. This level shall be the established level at beginning of homeownership (when lot/home was first distributed to homeowner through IHT covenant, ground lease or other form of conveyance).

Whereas IHT and WTAHC agree that all rentals including those previously rented before this agreement shall be reviewed once a year. The status of such shall be reported to WTAHC by June 30th of each year. Those presently being rented at the signing of this agreement shall be reported immediately and shall be or placed in compliance with the WTAHC rental guidelines to the WTAHC.

Whereas rentals of the affordable homes shall not exceed ___ years.

Whereas IHT shall comply with all the requirements set forth in Article 4 of the Town's zoning bylaws and expressly recognizes that the Town through WTAHC shall have the power to enforce the terms of this letter of agreement.

IN WITNESS WHEREOF, the parties have executed this Letter of Agreement as of the day and year first above written.

Island Housing Trust

By its Executive Director
As duly authorized by the members

West Tisbury Affordable Housing Committee