



# Housing Committee

## Town of Chilmark

### MEETING NOTES - APPROVED March 21, 2024 (via ZOOM)

Present for the Housing Committee and attending the Zoom meeting were Jim Feiner – Chair, Ann Wallace, Allison Cameron Parry, Peter Cook, Nettie Kent Ruel and Alison Kisselgof - Administrator. Also in attendance was Laura Silber.

Bill Rossi was not in attendance.

The meeting started at 9:01 AM.

**RENTAL ASSISTANCE PROGRAM (RAP) RENT INCREASE DISCUSSION:** Alison shared a summary which included the current RAP rates, the current Dukes County Regional Housing Authority (DCRHA) rates for Middle Line Road apartments at 100% AMI and the proposed increased RAP rents. Alison said that she and Ann formulated the new rates by comparing the current RAP rates to DCRHA and also to rates listed on the Boston Planning & Development Agency, while keeping the increase reasonable so that tenants could afford the new rents. The new rates were proposed with an automatic 3% increase, which mirrors DCRHA annual rate increase.

There was some discussion about the Community Preservation Act's AMI restriction, the fact that rents are not dependent on type of housing and the increasing costs of rents. Ann explained the process by which DCRHA administers the program and mentioned that the maximum subsidy from the Town would be 50% of the rent. Nettie offered some details about her personal experience with RAP.

The Committee discussed incentives to attract potential landlords into RAP. Jim wondered if tax credits could be offered and asked if town counsel could be consulted. Laura mentioned that tax credits were included in the Governor's Affordable Homes Act for year-round rentals and that Provincetown was currently offering a tax credit non-resident owners to encourage long term rentals.

A motion was made to accept the suggested RAP rents and the automatic increase of 3% annually. The motion was seconded and passed by unanimous vote. Nettie abstained from voting due to conflict of interest.

**CURRENT ZBA APPLICATION FOR ACCESSORY APARTMENT DISCUSSION:** Alison shared with the Committee information about a current ZBA application for an accessory apartment proposed in an existing garage. Although the existing building would allow for a 700 sf apartment, the applicant is limited to 400 sf due to the lot size. Alison suggested that the Housing Committee support a by-law amendment allowing for up to 800 sf for an accessory apartment on a lot under 3 acres if proposed in an existing building that will not change its footprint.

Peter offered that the Site Review Committee (SRC) would not have an issue with this by-law amendment since it would not change the view and suggested that the SRC refer the topic to the Planning Board. Ann said that the Housing Committee could write a memo to the Planning Board also. The consensus among the Committee members was that the Housing Committee should recommend this by-law amendment since it is supportive of affordable housing.

Laura mentioned that legislation expected to pass in July would require towns to amend by-laws and suggested the applicant wait until then. She also mentioned that the Town could adjust accessory apartment sizes to match the West Tisbury by-law, which does not tie the size of the apartment to the acreage of the lot.

The Committee expressed concern about how long a by-law amendment would take and considered ways to help the current ZBA applicant. It was decided a memo would be sent to the ZBA as well to support a variance to by-law 6.12 to allow the larger accessory apartment size.

A motion was made to send a memo to the Planning Board about an amendment to by-law 6.12 and a memo to the ZBA supporting a variance for the current application. The motion was seconded and passed by unanimous vote.

**HOUSING COMMITTEE ANNUAL TOWN MEETING WARRANT ARTICLE DISCUSSION:** Alison shared a conversation that she had with Tim Carroll about the two excise warrant articles that the Housing Committee had recommended to the Select Board for the town meeting. Tim had said that the second article which mentioned allocation to the Molly Flender Affordable Housing Trust (MFAHT) would not be included in the warrant. He explained that the money raised from the excise increase would not be received until the following year so the article about distribution would be included at the next town meeting after money has been received. The Committee members were disappointed that the distribution article would not be included. Ann offered that the Town had already received increased funds from the short term rental tax, which were supposed to go to MFAHT but did not.

There was a discussion about how to support the warrant article at town meeting and when it would go into effect if passed. Jim mentioned that most rents would be paid before the Town voted on the increase and recommended that article take effect January 1<sup>st</sup>. The Committee discussed creating a handout for town meeting. Laura suggested that Alison reach out to Edgartown for the handout used recently at their town meeting. She also said that the Committee should include data showing the increase in excise did not affect the rental market. Laura mentioned that there was pushback in Edgartown against the increase and encouraged the Committee to get information out about the increase prior the town meeting to prevent debate on the floor.

It was decided that Alison would request a copy of the Edgartown handout and work with Ann to adopt for Chilmark's town meeting.

**MARTHA'S VINEYARD COMMISSION UPDATES:** Laura updated the Committee on a recent court decision concerning short term rentals (STRs) in Nantucket. The ruling said that a principle use of a main dwelling cannot be a short term rental because the zoning by-law does not explicitly state this is. She suggested that Chilmark add a zoning by-law regarding STRs and mentioned that West Tisbury was already doing so. Laura said that this court ruling, which is a landmark decision, may be appealed.

There was a brief discussion about fractional ownership. Laura said that Pacaso is rapidly expanding and the island will need to deal with this soon as they already have several listings here. The company is converting single family homes into timeshares. She mentioned that fractional ownership and commercial ownership are different and the towns need to catch up with definitions and by-law amendments. She encouraged group meeting of the Select Board with the Planning Board, Housing Committee and town counsel so the town discussion is aligned.

**APPROVAL OF DRAFT MINUTES:** A motion was made to accept the minutes from 1/18/24 as presented and seconded. With no further discussion offered, a vote was taken and the motion passed unanimously.

**TOPICS NOT ANTICIPATED:** Ann asked Laura if Judi Barrett was conducting the zoning by-law review. Laura answered yes and that short term rental by-laws were included but she was unsure if fractional ownership was on the list of by-laws discussed. Ann asked Laura when the housing needs assessment would be completed. Laura expected the study to be done by end of month.

Allison asked if the Committee would be writing a memo to support a Lease to Locals pilot program. Alison recounted that the Committee had pushed the topic until Bill Rossi had seen the presentation but that she would include it on the April agenda. Nettie expressed support of Lease to Locals program.

**DOCUMENTS:**

- Proposed RAP rent increase summary
- Draft minutes from the 1/18/24 meeting

**NEXT POSSIBLE MEETING:** April 18, 2024 @ 9:00 AM

With no further business to conduct the meeting adjourned at 10:25 AM.

Respectfully submitted by Alison Kisselgof, Board Administrator.