



## Housing Committee Town of Chilmark

### MEETING NOTES - FINAL July 20, 2023 (via ZOOM)

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

The meeting started at 9:08 AM.

**CHILMARK SUBSIDIZED HOUSING INVENTORY:** After a brief discussion regarding the town's affordable housing inventory list previously distributed, there was a conversation about the state's definition of subsidized housing. Ann said that the town does not currently have any units that would be eligible for the state's subsidized housing inventory (SHI). Jim asked if the AMI would be 80% or less for SHI and Ann confirmed. There was a discussion about Middle Line Road (MLR). The Committee was aware that some of the current renters fell below 80% AMI but members were unclear of the current AMI restrictions on apartments. Bill wondered if the whole development had to be restricted to 80% AMI or less. Laura said that AMI restriction would be by unit.

Laura didn't know if any of the town's rental units were deed-restricted to 80% AMI or below. Ann recalled that the Martha's Vineyard Commission (MVC)'s decision allowed for the Select Board to change AMI restrictions at MLR. Laura offered to help with paperwork if the Select Board chose make new restrictions. She went on to say it is not playing well at the state-level that Chilmark has no units listed on SHI, especially because neighboring Aquinnah has 26 units listed. She said that in order to get access to state assistance including the transfer fee, the town will need to show some progress towards SHI. Laura mentioned that other towns were working toward the goal of a minimum of 10% units on SHI.

Allison wondered if Peaked Hill Pastures (PHP) could have units restricted to 80% AMI or below that could qualify for SHI. She said that this would also potentially allow the town to acquire state funding towards the project. Bill said no decision had been made about restricting AMIs at PHP to 80% and that the residents voted to make AMI up to 150%. Laura offered that the wording in the warrant was for varying levels up to 150% AMI which could include lower AMIs. She asked if the Committee would like assistance determining AMIs for Middle Line Road. Bill answered that Tim should know what the AMIs. Laura said she would follow up with Alison to get this information.

**MUNICIPAL EMPLOYEE WORKFORCE HOUSING:** Laura did not recall if Chilmark had sent in a letter to the MVC in support of municipal workforce housing. Ann verified that this had been done. Laura said that a meeting was scheduled for today with Senator Cyr's office and other town reps to discuss altering state law to allow for public and state funding for municipal workforce housing. The change would allow for either projects that are completely for municipal employees or those with first round preference given to municipal employees.

Bill asked if the municipal housing would have to be income restricted. Laura answered that the restriction would be by municipal employment and not income. Bill felt this would attract support from the town. Laura said that the Governor had shown interest in the proposal. Laura offered that the Governor plans frequent trips to the area

and has connections in the area so she is aware of the local housing issues. Laura said that Chilmark should send a representative when the Governor holds a roundtable meeting so that the town's priorities are represented. Laura acknowledged the last invitation was on very short notice and suggested the town designate a couple of representatives who could be available on short notice. Otherwise, Laura said that the town could authorize the MVC to speak to the town's needs. Bill offered that someone from the Select Board or another committee could be available on short notice. Laura asked that the town administrator be apprised of this discussion since future invitations would be sent to his attention. She said that the town clerk would also receive invitations.

**TECH & PLANNING SUPPORT GRANT OPPORTUNITIES:** Laura shared a presentation on a program through MassHousing Partnership (MHP) called Complete Neighborhoods Partnership. She said that this is a pilot program that would select up to 12 communities to receive up to \$150,000 for technical assistance over a 5 year period. Laura mentioned that Aquinnah was interested in the grant to assist in planning an overlay district for smart growth. She said there was an opportunity for all 6 island towns to apply together, which was done by Franklin County with success, and this joint application would increase the \$150,000 cap to substantially more and may have greater success than the towns individually. The grant could be used towards creating master plans and municipal employee housing planning. The MVC is in the process of distributing this information to all towns and hoped to schedule a talk by MHP on the program. The state starts taking applications for the program in the fall.

Bill had to leave the meeting at this time (9:29 AM) but thanks Laura for all the information she presented.

Jim felt that there was no downside to applying for the grant. He asked about how the funds would be placed between the towns. Laura said that the MHP would work with each town on their goals and fund accordingly. She mentioned there would be a focus on affordable housing and sustainable transportation. Laura asked that the town send a letter of interest to the MVC. A motion was made to recommend that the Select Board and town administrator send a letter of interest in the Complete Neighborhoods Partnership presentation to the MHP. The motion was seconded and passed by unanimous approval.

Laura said there is another partnerships called Municipal Engagement Initiative offered by Citizens' Housing & Planning Association (CHAPA), which helps towns reach out to their own constituents with campaigns to educate and inspire in regards to housing programs. The engagement would be through visibility campaigns like mailings and community engagement meetings. Laura said the program was free and recommended that all towns apply together for it as well. A motion was made to recommend that the Select Board and town administrator send a letter of interest in the Municipal Engagement Initiative program to CHAPA. The motion was seconded and passed by unanimous approval.

**FRIENDLY 40B DISCUSSION:** Jim said that the Planning Board would be discussing friendly 40B at a meeting, which he planned on attending. Jim said that he had spoken to members of other Housing Committee with 40B experience and they had only positive feedback. He mentioned there were 40B has been used on island for both small-scale and larger projects like Scott's Grove. Jim said that towns would be involved in the planning and so no aspects would be forced upon them.

Laura mentioned that she planned on attending the Planning Board meeting as well and asked to connect with Jim beforehand. She offered to find someone from the state to attend and help answer any questions. Jim agreed that this would be helpful.

**FRACTIONAL OWNERSHIP:** Jim said that the towns are concerned about fractional ownership. Laura mentioned that she was aware of one house in Aquinnah and one on Nantucket with fractional ownership. She mentioned that Nantucket and Provincetown were working on warrant articles to prevent it.

Jim offered that a property with multiple dwellings that could not be subdivided theoretically could be owed by

several people under a fractional ownership agreement. Laura said that Jim's scenario was not what the towns were concerned about but instead commercial fractional ownership. In this case, companies would sell ownership shares on the open market to unrelated people. Nettie asked if this would be a time share. Laura said fractional ownership was different than time shares because an owner wouldn't just own a week of usage but she also said the definition varies from state to state. She said that Nantucket has a law against time shares that was not specific enough to also outlaw fractional ownership so they are adding in language. Edgartown's by-law limits timeshares to commercial and mixed use districts but it doesn't prohibit fractional ownership so a proposed amendment is in the works. Laura said that Chilmark does not have a timeshare or fractional ownership by-law and suggested creating one that regulates both.

Allison had questions about equity shares but Laura was not familiar with this ownership structure and said she would research it further. Laura mentioned that ownership structures could not be prohibited, only use.

Jim said it would be great if the Housing Committee could communicate support of fractional ownership regulation to the Planning Board. A motion was made to send a memo from the Housing Committee in support of a by-law restricting fractional ownership for commercial use. The motion was seconded.

Nettie asked if short term rentals for commercial use could also be restricted. Laura said that Great Barrington has done so with approval from the Attorney General, so it could be done. Jim suggested that the Committee review any by-laws in place at the next meeting and make recommendations to the Planning Board.

**MEMBERSHIPS & APPOINTMENTS:** Alison mentioned that the Committee needed a representative on the Molly Flender Affordable Housing Trust Fund (MFAHTF) since Andy stepped down. Allison volunteered to join the MFAHTF. Alison asked Allison to write a letter to the town administrator requesting appointment.

Alison also said that the Housing Committee was short a member, also due to Andy's departure. She offered to have the town columns in the paper mention the need for a new member. Alison also asked members if they knew anyone who would like to join the Committee.

Jim had to leave the meeting around 10AM due to computer issues.

Alison asked Nettie if she was ever sworn in for the PHP RFP Committee. Nettie answered no. There was also some question about whether Nettie and Allison were sworn in as Housing Committee members. Alison asked them to inquire with the town clerk. There was a brief discussion about who require re-appointment. Alison said that she would check with Tim and, if anyone needed re-appointment, she would let them know.

**APPROVAL OF DRAFT MINUTES:** There weren't enough members present at the end of the meeting to vote on draft minutes so they will be reviewed at the next meeting.

**TOPICS NOT ANTICIPATED:** Laura said that Housing Bank has been called up for a hearing next week. The MVC will be sending out template letters for people to submit written testimony. She asked if the Housing Committee could send a support letter and asked if other committees could be asked to do the same. Letters from individuals would also be appreciated. Laura said that the more letters received in support, the better but the hope was at least 200 be sent. A motion was made for the Housing Committee to send a letter of support for the Housing Bank and encourage others to do so. The motion was seconded and passed unanimously.

Allison mentioned that the submission timeframe was very tight – letters would only be accepted from July 25-28. Laura suggested that people include personal experience with the housing issue.

Ann asked if the Committee had heard back from the Select Board in response to the memo to increase room excise. Alison said that she hadn't heard back and would follow up with Tim. Ann mentioned that the letter was included in documents for the Select Board meeting but was never discussed. Allison asked if the Committee could request the topic be included at the next meeting. Alison mentioned there was a meeting next week and that it would be in person if members wanted to attend.

**DOCUMENTS:**

MassHousing Partnership (MHP) Complete Neighborhoods Partnership presentation  
Draft minutes from the 4/20/23 meetings

**NEXT POSSIBLE MEETING:** August 17, 2023 @ 9:00 AM

With no further business to conduct the meeting adjourned at 10:08 AM.

Respectfully submitted by Alison Kisselgof, Board Administrator.