



Housing Committee

Town of Chilmark

MEETING NOTES - FINAL September 21, 2023 (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 were Laura Silber, Adam Petkus, Philippe Jordi and Jessica Roddy.

Bill Rossi was not in attendance.

The meeting started at 9:02 AM.

IHT OPPORTUNITIES FOR IMPACT DISCUSSION: Philippe Jordi joined the meeting to request support from the Housing Committee for the Island Housing Trust (IHT) application for Community Preservation funds towards some of their current projects. He said that IHT was looking for support from all island towns.

Philippe went over three IHT projects: an island-wide school employee housing complex that would be situated in West Tisbury, a 55+ housing initiative in conjunction with the Town of West Tisbury and a project that would house veterans in partnership with the Town of Oak Bluffs. Philippe asked that the Housing Committee send a letter of support for their Community Preservation application to the Town of Chilmark. The total IHT is requesting from Chilmark is \$169,600 for these projects.

Jim said that he was very impressed with IHT's ability to fund projects and felt that Chilmark had an obligation to help with housing solutions across the island. Ann seconded Jim's comments and asked if there would be a Chilmark preference for these projects if town funds were allocated. Philippe said that the veterans housing could have Chilmark preference. For the school project, he said that preference could be given to Chilmark school employees in the initial lottery.

Adam asked if the Fair Housing Act allowed for preference based on age. Philippe answered that this was the first time IHT had a project with an age-dependent requirement. He said that age would be an eligibility requirement, not just a preference. Originally West Tisbury had wanted to have a mix of younger and older families but the law requires the eligibility requirement cover all units and that at least one member of the household be over 55. Philippe also said that the law states you cannot discriminate against families with children.

Philippe said that there is growing support for municipal housing. IHT is working with Martha's Vineyard Commission to get this designation allowed on the state level. He went on to say that IHT is proposing ongoing preference for school employees. This project will not get any money from the state and so IHT is requesting funds from all the towns. Philippe said that this type of housing was fairly new to IHT and they would be working with Dukes Country Regional Housing Authority (DCRHA) on renter selection and management.

Adam asked if legal counsel had been consulted to verify the towns could allocate funds to this type of project. Philippe replied that it is undisputable that the over 55 housing is legal under Federal law. He mentioned that was a study done by a fair housing lawyer on school employee housing 3-4 years ago but also that IHT has requested the West Tisbury town counsel to review as well. He said they would share legal opinions once known.

Allison asked what AMI levels these project would be designated. Philippe answered that the veterans housing would be for low to moderate income levels, the 55+ housing would be at 80% and 100% AMIs and the school employee housing would allow higher AMIs. He shared that 30% of school employees earn over 100% AMI – however, allowing higher AMIs would limit the use of CPA funds for the project.

Allison asked if leases would be annual and how town preference would factor into renter selection. Philippe confirmed leases would be year to year. He said that town preference would be given to residents who work or live in the town or if their kids went to school in the town.

A motion was made to support IHT's request for CPA funds. The motion was seconded and passed unanimously.

MASSHOUSING PARTNERSHIP PRESENTATION RECAP: Laura said that the Complete Neighborhoods grant presentation by MassHousing Partnership was well attended by all towns. She asked that the Committee follow up with the Select Board to vote to apply for the Complete Neighborhoods grant. Laura mentioned the application submission opens next month. She offered that the state was interested in seeing all town apply together for the grant. Laura said that there was the possibility of more grant money with a combined application.

Peter asked if Planning Board support would help or was the MVC only requesting Select Board support. Laura said that the letter should be from the Select Board but it could be a joint letter with the Planning Board and/or the Housing Committee. It was decided that the Housing Committee would write a letter to the Select Board to recommend applying for the Complete Neighborhoods grant. A motion was made to do so and seconded. The motion passed unanimously. Laura mentioned that MVC is requesting a formal decision by October 13th at the latest.

EXCISE INCREASE PUBLIC HEARING UPDATE: A joint meeting between the Housing Committee and the Select Board was scheduled the following week to hold a public hearing on the increase in excise. Allison offered that the Committee should prepare talking points for the meeting. Ann said that the original memo to the Select Board included a lot of info and asked if this could be redistributed. Ann also asked if the revenue totals for the previous year were available. Laura said that the towns are on track to receive at least as much as the previous year and possible more. She mentioned that the Department of Revenue would have the information available. Laura said that she planned to attend the public hearing and asked who would be presenting from the Committee. After a brief discussion, it was decided that Jim would speak at the meeting since he was a real estate agent and could speak to the lack of negative booking influence. Laura said the increase in excise would show the state that the town has a steady support of income for housing projects.

Allison offered it would be good to estimate the amount of increase and see how it could support bond repayment at Middle Line Road. She asked if she could get the bond information and Alison said she could sent it. Ann said that it is important to remind people that this increase would not cost the tax payers anything but would be steady revenue for housing in Chilmark, including funds to support capital improvements and maintenance at MLR. Jim added that the summer rentals are part of the problem that led to a shortage of affordable housing so the two were interrelated.

MIDDLE LINE ROAD VACANCY DISCUSSION: Alison had circulated information on the management agreement for MLR between the town and DCRHA prior to the meeting. She said that, although past vacancies didn't appear to be handled according to the agreement, this current vacancy was following the protocol but there were some procedural difficulties, including that David Vigneault is out of the office in the week before the move-in date. Alison offered a summary of the applications so far and what the procedure would be to select the next occupant – major factors include whether the applicant works or lives in town and how long they have been on the DCRHA waiting list. Alison said that it was unclear if MLR had a permanent restriction on the apartments regarding AMI.

Allison offered that the MVC decision specified that 2 apartments should be rented up to 100% AMI and the remainder of units up to 150% AMI. She said that renters cannot use more than 30% of their income towards rent so there is a possibility that an applicant doesn't make enough money to be considered. Alison mentioned that the MVC decision actually said 4 units should be designated up to 100% AMI but the DCRHA agreement said up to 2 units. The agreement also said that there was a minimum AMI at 65% AMI.

Allison said that she recalled the leases defined a length of time a renter could not be in residence and asked how long the timeframe was. She felt it would be good to have a copy of an MLR lease. Allison mentioned that the renter who just left MLR had not be in residence or paid her rent since May. She wondered at what point DCRHA would notify the town of a vacancy. Ann offered that the renter agreement has strict guidelines regarding occupancy.

Allison asked if the current 1 bedroom vacancy had a maximum occupancy of 2. Other members believed this was the case. Allison wondered if both occupants' incomes were taken into account when calculating AMI. This was confirmed. Allison said that she had feedback that the rent was unaffordable but she felt that the rental would be affordable for two people. There was a brief conversation on income levels at different AMIs and it was mentioned that there was a chart available now up to 150% AMI.

RENTAL ASSISTANCE PROGRAM CPA REQUEST: The rental assistance program (RAP) funds are running low and therefore the Housing Committee needs to request Community Preservation funds to replenish the RAP funds. Jim said that this is standard protocol for \$100,000 but asked how often the Housing Committee has done so. Alison answered that the request has most recently been bi-annual but it's actually been three years since the last request. A motion was made to make a request \$100,000 this year for RAP funds. The motion was seconded and passed by unanimous approval.

Ann summarized who is participating in the RAP at this time. Jim recounted that a rental recently dropped off the list. Allison asked how one would apply for the program. Ann said that the program is between landlords and tenants and so it would be the landlord that applied directly to DCRHA to participate.

Nettie offered that her family was one of the participants in RAP. She said that it was her previous rental that recently dropped off the list and mentioned that the house is vacant. Nettie said that she has to re-apply annually for the assistance and that the subsidy varies depending on their income but never exceeds 50%. She said that it is an incredible program and she wished that more home owners would participate. Nettie mentioned that funds were available from MassSave to pay for insulating her rental at no cost to the landlord, which would not have been possible if the house was not part of RAP. Jim wondered what it would take to get Nettie's previous rental back in the program – Nettie said the owners prefer to keep the house free for vacationing. Allison asked what the AMI guidelines were. Ann answered that qualifying AMIs would be 100% or lower. Nettie said that Terri Keech from DCRHA does an annual walkthrough and had mentioned that many rentals left the program.

APPROVAL OF DRAFT MINUTES: A motion was made to accept the draft minutes from 7/20/23 as written. The motion was seconded and passed unanimously.

TOPICS NOT ANTICIPATED: Laura mentioned that Nantucket has set up focus groups to look into buying deed restricted properties. The buy-down program would be an optional program that invites residents to sell their year-round, deed-restricted properties to the town. The town would then deed restrict the property in perpetuity for year-round residency with no AMI attached. Laura said that the idea was to create a middle market. A similar program has been very successful in Vail, Colorado. Laura offered that attendance by members of the Committee would be welcome. She suggested that Alison reach out to the Affordable Housing group to get more info.

Laura recounted a meeting about the transfer fee legislation that she attended. She said that hearing would be scheduled shortly and the Housing Bank was asking for testimony in support of the bill. Laura said that she was

seeking pre-approval from towns since little notice would be given before a meeting. She said that Oak Bluffs and possible two other towns had already voted to pre-authorize support of the bills. Laura asked that the Committee send a letter of support and also request the Select Board do the same. A motion was made to do so, seconded and passed unanimously. Laura said volume of submission will make a difference. The last round of support was strong and moved the bill along. She asked that the Committee encourage other Board members to write support letters as well.

DOCUMENTS:

IHT Opportunities for Impact presentation

Draft minutes from the 7/20/23 meetings

NEXT POSSIBLE MEETING: October 26, 2023 @ 9:00 AM

With no further business to conduct the meeting adjourned at 10:05 AM.

Respectfully submitted by Alison Kisselgof, Board Administrator.