

HOMESITE HOUSING Section 6.9

A. PURPOSE

The Town of Chilmark values being a diverse community that accommodates residents of varying income levels. As the cost of the land and housing increases on Martha's Vineyard many local residents are being priced out of the market for homes. The Town of Chilmark desires to enhance the availability of housing that is affordable to the entire range of its residents, without encouraging excessive growth that detracts from the Town's quality of life. Furthermore, the Town of Chilmark desires to sustain said housing as affordable for future generations of Chilmark residents. Therefore, the Town establishes this section to allow the construction of individual residences on lots that do not satisfy minimum lot size requirements, provided:

1. that the owner-applicant:
 - a. (i) meets the qualifications of the Chilmark Housing Committee under the Homesite Housing Implementation Guidelines in effect at the time of filing of the necessary Special Permit Application; or (ii) is the Town and the Town intends to transfer or lease the lot or lots to a person who meets the criteria of Section A (1)(a)(i);
 - b. is granted a Special Permit from the Zoning Board of Appeals to build a one-family dwelling for owner occupancy upon a Homesite Housing Lot as prescribed in this bylaw; and
 - c. attaches to the property deed, before the issuance of a building permit, either (i) the Homesite Housing long-term affordability Deed Restriction for the purpose of maintaining the property in a permanently affordable pool; or (ii) a Martha's Vineyard Housing needs covenant complying with St. 2004, c. 445; and
2. that the lot otherwise meets the requirements of the subdivision control law and the Planning Board.

B. DEFINITIONS

1. Homesite Housing: Housing for persons who live or work in Chilmark whose total household adjusted gross income is not more than 150% of median income for Dukes County.
2. Eligible Purchaser: Any private purchaser over the age of 18 who meets the Homesite Housing Implementation Guidelines in effect at the time of purchase.
3. Homesite Housing Lot: A parcel of land which
 - a. may be less than three (3) acres in size ~~but not less than one (1) acre~~ and has the approval of the Planning Board as a Homesite Housing Lot;

Note: required setbacks for Homesite lots will be adjusted to conform with town designations for pre-existing lots of less than three acres (see Zoning Bylaw Article 6, Section 6.1, A. & B.)

- b. satisfies all other Town zoning and conservation requirements in effect at the time of application;
 - c. is fully compliant with the Town Board of Health rules and regulations in effect at the time of application; and
 - d. is available for
 - i. purchase only to Eligible Purchasers as defined above, or
 - ii. lease only to Eligible Purchasers as defined above, in the case where the land is held by a municipal or state agency, or by a non-profit entity dedicated to developing affordable housing.
4. Long-term Deed Restrictions: Legal covenants which guarantee, by capping the resale price of the property (including improvements), that, in the event of a resale, the property remains affordable to other Eligible Purchasers. The restrictions shall run for the maximum term permitted by law and shall be enforceable by the Town or, if created under St. 2004, c. 445, by the Dukes County Regional Housing Authority.