

**Background and Considerations:
Town of Chilmark Peaked Hill Pastures and land by Tabor House Road
Landfill: A PROGRESS REPORT**

Scope of the Progress Report:

There are two town-owned properties off Tabor House Road under consideration for potential development, a 16-acre lot called Peaked Hill Pastures and an 8-acre lot behind the Landfill and Transfer Station (parcel 013-035-00).

The Selectmen asked the Planning Board to assess a priority list of proposed uses for Peaked Hill Pastures developed by the Peaked Hill Pastures Proposals Committee. The Planning Board Master Plan Subcommittee was asked to include considerations and talking points for each item on the priority list and recommend an approach for the Town going forward.

It should be noted that the Planning Board Subcommittee was not charged with analyzing possible uses for the town-owned land behind the Landfill and Transfer Station. However, the land there is addressed here because it was felt that possible uses may affect what is done with Peaked Hill Pastures.

The Planning Board Master Plan Subcommittee held open and posted meetings to discuss the list.

This report:

- Presents background of each lot,
- Shares information gathered on affordable/community housing lot models and development
- Examines other potential uses (Items on the Priority List) and
- Includes a short-term timeline of tasks.

All of this is offered in the framework of the ongoing development of a new overarching Master Plan for the Town of Chilmark.

Introduction: Chilmark is a community on Martha's Vineyard with a rural, agricultural and fishing heritage. According to the 2010 U.S. Census Bureau, the town is 19 square miles and has 866 year-round residents. There is an active fishing industry based out of Menemsha harbor. Local farms provide vegetables, eggs, cheeses, meats and flowers. There exist thriving seasonal

businesses related to the resort and tourism industries. Chilmark retains a vision of maintaining traditions and open land.

Background:

The Peaked Hill Pastures Proposals Committee was appointed by the Selectmen in June 2018. The committee was to research the Peaked Hill Pastures property to understand the features of the land and to compile a list of the potential uses. A presentation given in August 2019 summarized the development opportunities for Peaked Hill Pastures in a ranked priority list:

- Affordable/Community housing for different demographic groups
- Recreation
- Farming/Pasture land
- Open Land for future development
- Community Land for uses such as solar, public safety training, storage for equipment for the highway department, for fishermen and for shell fishermen

Each lot has conditions that affect potential use. Discussion ensues.

Peaked Hill Pasture:

- Has belonged to the town since 1991, as the land on Map 20 lot 47.1, acquired for nonpayment of taxes by the Peaked Hill Realty Trust (Cal Dennison, trustee).
- Clay Rights were purchased from the initial developer and are owned by the town.
- Present uses include two occupied youth lots, softball field and related farming and storage of equipment for the Highway Department.

Parcel 013-035-00 behind the Landfill and Transfer Station

- The land contains the shuttle parking lot, in use seasonally for beach goers to Menemsha.
- Solar panels were installed by the town in 2014.
- A new array of Solar panels may be installed on this lot in the near future, as a section of compliance with the Green Communities Act.
- The town voted at two town meetings to designate the parcel to four uses: fishermen equipment storage, shellfish equipment storage, highway department storage and firefighter training space.

- Annual 4/24/17 Article 23 \$10,000 for planning the layout
- Special 11/27/17 Article 15 Funds voted to improve driveway to the parcel
- At special town meeting 11/19/18, the town voted to appropriate from available funds \$15,000 to create a design and layout for the above listed municipal uses.
- The land is not thought to be ideal for housing due to its steep topography and conservation issues previously considered in nearby Middle Line Road development.
- There are considerations about compliance with fencing and venting of the landfill, leaching from the landfill and road access.
- Clay rights have not been purchased for this property. Without clay rights, no structure can be built which would require digging deeper than 24 inches below the surface.

Items on the Priority List

The Priority List was developed by the Peaked Hill Pastures Proposal Committee

A. Community/Affordable Housing

This is a need that Chilmark has, to retain residents and to attract newcomers. Chilmark and all island housing realities include fewer affordable housing options due to factors such as seasonal rentals, income inequalities, second homes and mostly three-acre zoning. Year-round residents struggle in this context.

The standard definition for affordable housing is up to 80% of Area Mean Income (AMI) and for community housing is 81-150% AMI. (Each year, the AMI is published by the U.S. Department of Housing and Urban Development.) Because of the high cost of living in Dukes County, the Commonwealth allows both rental and ownership opportunities up to 150% of the AMI to be characterized as “affordable”.

Housing developments on Martha’s Vineyard offer different approaches to address long-term affordable housing needs.

Housing examples include:

- Home site ownership--town gives a long-term lease to someone who builds their own home (Nab's Corner and part of Middle Line))
- Homesite lots with Turnkey homes --town sells a house on a lot to someone (Smalley's Knoll)
- Rental by town as developer—units are developed and managed by the town (part of Middle Line)
- Rental by independent developer and manager--the town invests in units for people which are built by an outside developer and manager (Scott's Grove)

The chart on the next page displays these examples:

Chilmark Housing Options (up to 150% Area Median Income)

Model	Description	Considerations	On-going Management
Ownership Homesite lots with "U-build" homes	<ul style="list-style-type: none"> ▪ Lottery to award property ▪ Town provides basic infrastructure ▪ Owner builds 	<ul style="list-style-type: none"> ▪ Provides affordable land ▪ Remains affordable for 99+ years ▪ U-builds can get overextended with building mortgage 	<ul style="list-style-type: none"> ▪ Minimal management required ▪ Home owner responsible for capital improvements, repairs and replacement, etc.

(e.g., Middle Line Road, Nabs Corner)	home (U-build)	<ul style="list-style-type: none"> ▪ 1 acre restricts creative density planning ▪ Requires little or no town funding 	to home
Ownership Homesite lots with Turnkey homes (e.g., Smalley's Knoll, AQ) Town or Developer	<ul style="list-style-type: none"> ▪ Lottery to award property and home ▪ Town or developer builds homes 	<ul style="list-style-type: none"> ▪ Provides affordable land and home ▪ Remains affordable for 99+ years ▪ Lenders prefer turnkey homes ▪ Provides opportunity for creative density planning ▪ Requires town funding: significant if town is developer; moderate if in partnership with a developer 	<ul style="list-style-type: none"> ▪ Minimal management required ▪ Home owner responsible for capital improvements, repairs and replacement, etc. to home
Rental Town as developer (e.g., Middle Line Road)	<ul style="list-style-type: none"> ▪ Town develops and builds rental units ▪ Initial rental lottery 	<ul style="list-style-type: none"> ▪ Provides perpetual affordable rental units ▪ Provides opportunity for creative density planning ▪ Requires significant town funding 	<ul style="list-style-type: none"> ▪ Town contracts with management company or town manages rentals ▪ Rental income covers capital improvements, repairs and replacement, etc.
Rental Developer (e.g., Scotts Grove, WT)	<ul style="list-style-type: none"> ▪ Developer develops and builds rental units ▪ Initial rental lottery 	<ul style="list-style-type: none"> ▪ Provides perpetual affordable rental units ▪ Provides opportunity for creative density planning ▪ Requires moderate town funding with multiple funding sources 	<ul style="list-style-type: none"> ▪ Town contracts with management company or town manages rentals ▪ Rental income covers, capital improvements, repairs and replacement, etc.

Notes

In all models, town retains ownership of land

Other Items on the Priorities List

B. Recreational area

Chilmark enjoys having open land for softball, soccer and other sports. There exists the public softball field, which has been used for many years. There is opportunity for tennis or other racquet sports courts.

Maintenance of sports fields and tennis courts is relatively simple and low impact, within the scope of clearing and mowing. Space used for recreation is space that could be earmarked for other uses at a later time.

The Community Center has tennis courts and, as of this summer, a new tennis building for equipment storage and operations.

C. Farming/Pasture Land

Farmed land is consistent with Chilmark's rural heritage and vision of open space. A community garden would provide produce for those who may not have gardens or access to gardens. Working together to create a town garden creates opportunity for community. The pastureland might be used for grazing of existing animals or lead to consideration of acquiring some. The town endorsement of farms can be seen in support of Tabor House Farm and Tea Lane Farm. There is opportunity to attract new farmers to Chilmark. Costs and maintenance considerations need to be explored. This use is not inconsistent with leaving land open for further development.

D. Open Land for future development

This last item is consistent with recreational uses and with farming. Undeveloped land is available for future needs for projects of the town. The amount of land to be left open is to be determined.

Overall Considerations:

For all items on the list:

- Fit with vision of overarching Master Plan.
- Funding for any steps forward, including exploring grant opportunities
- Communication and education on planning developments for the community and island.

- Potable water, waste disposal and other environmental conditions.
- Design to address effects of traffic and noise in the neighborhood.
- Open space as a town priority.
- Insurance and management considerations.

Affordable Housing

- Zoning bylaw changes for cluster housing or smaller lots
- Funding models, rental versus ownership, management and oversight.
- Funding options, including grants, community preservation monies, other.
- Design so that energy use could be most efficient.
- Design homes to be accessible for people with present and future needs.
- Costs and staffing for ongoing community safety needs, roads, maintenance
- Clay rights may be a factor

Recreational Area

- Management of softball field and any new courts or facilities
- Potential for partnership with the Community Center
- Access

Farming /Pasture Land

- Community garden or other options such as lease
- Water use
- Who will oversee and manage this land
- Crop and planting choices
- Seasonal maintenance
- Keeps land open for future development

Open Land for future development

- Determining what amount of land this will be
- How to maintain it in best possible condition for the future

Grant Opportunities

The Subcommittee has explored viable grant opportunities in discussion with Christine Flynn of the Martha's Vineyard Commission several times over the past few months. There is one grant, the MA Housing Technical Assistance Grant, that may start a funding round any day, with a six-to-eight

week application window. It provides funding up to \$100,000 with a 10% town match. The grant provides technical assistance and a planning consultant to assess affordable housing options. If there were interest in pursuing a grant, the Subcommittee would prepare the application, with the assistance of the MV Commission; the Chilmark Board of Selectmen would be required to officially submit the application.

Conclusions and Next Steps

1) Development of the Peaked Hills Pastures land involves further study to identify the most viable uses in the context of several viable options. None guarantees a lower cost or faster timeline.

There are three paths offered for consideration:

- A.) Apply for a planning grant
- B.) Explore existing housing models such as Smalley's Knoll in Aquinnah and Scott's Grove in West Tisbury
- C.) Apply for a Planning Grant and explore existing housing models such as Smalley's Knoll in Aquinnah and Scott's Grove in West Tisbury

Additional conclusions:

- 2) Study to date indicates that the property behind the dump is not a candidate for affordable housing, based on conservation calculations and the town's voting on other uses. Action is designated for the Town Selectmen to find a consultant to conduct a planning and design study, as voted in the November 2018 Special Town Meeting.
- 3) A communications plan is needed to inform the community of progress, educate them on the options under consideration and obtain their input.

Next Steps:

June – July 2019

- Consider how Peaked Hill Pastures considerations fit with vision of Master Plan.
- Submit this progress report to the full Planning Board for approval by end of month.

- Present approved progress report to Board of Selectmen for consideration.
- Obtain approval to pursue a planning grant.
- Prepare and submit planning grant, once the application cycle is open.
- Prepare short report with talking points to distribute to the community.
- Explore possibilities and interest in Open Land; Recreation; Farming/Pasture Land.