

All Island Planning Board Meeting (AIPB)

Oak Bluffs Council on Aging

January 13, 2016

6 PM

Attending: Brian Packish(OB), Robert Fehl(OB), Ewell Hopkins(OB), Erik Albert(OB), Sam Hart(CH), Joan Malkin(CH), Christine Flynn(MVC), Peter Bradford(OB-Affordable Housing), Marie Doubleday(OB-Affordable Housing), Henry Geller(WT), Dan Seidman(VH), Mike Ferrone(OB), Ben Robinson(VH), Cheryl Doble(VH), Holly Stephenson(VH), Morina Lent(CH), Dean Rosenthal(VH), Georgiana Greenough(EDG), Lucy Morrison(EDG), Susan Feller(WT), Jeff Canha(VH), Greg Coogan(OB-Selectmen), Rich Toole(OB), Peter Temple(AQ), Philippe Jordi(IHT), Adam Turner(MVC), Cheryl Doble(VH), Paul Doherty(VH resident), Holly Stephenson(VH), Derrill Bazy(IHT), Hyung Lee(VH resident), Abe Siemen(OB)

Call to Order: 6:00 PM

Minutes

Brian Packish opened the meeting by asking participants to introduce themselves. Following introductions, Joan Malkin motioned to approve the November 4, 2015 minutes. Dan Seidman seconded the motion, which was passed unanimously.

Housing Production Plan Working Group

Henry Geller introduced the Housing Production Plan working group to the Board focusing on the executive summary of his handout. He announced that Peter Temple of MV Donors Collaborative, Adam Turner of the MVC, and Phillippe Jordi of the Island Housing Trust were on board with the plan so far, offering not only to staff it but also to find funding.

Mr. Geller explained that his planning board was committed to addressing the affordable housing crisis. He said the Island needed to meet state targets for affordable housing, and that Housing Production Plans were the way to meet those goals, which amounted to hundreds of new affordable homes. He also acknowledged the demand for community housing, and possibly for seasonal workforce housing.

Mr. Geller clarified that the State only recognized HPPs from individual towns, and while an effort to lobby the state to accept an island plan could help, the goal of this group would be to advise the individual towns and coordinate efforts.

Georgiana Greenough explained that Edgartown's interest in the HPP working group was to focus on housing, not just affordable housing, but other opportunities as well. As an example, the group might consider an organization that facilitated tiny houses, which by their nature are more affordable, but not subsidized.

Mr. Seidman expressed his opinion that working as an island was better, and if one town took on a large project, mitigation should be considered to offset school costs. He also felt tiny houses by their nature were affordable.

Mr. Packish noted the MVC made direct 40B exposure different from other places, but HPPs would allow towns to work with developers on affordable projects in a structured manner. He asked Adam Turner from the MVC to speak on this.

Mr. Turner said the goal was to have discussions up front, to determine the needs of the towns, so that projects were planned and wouldn't result in NIMBY situations or require an extraordinary amount of time to review. He said he had met with the State on this topic but was awaiting town input before getting specific with the State.

Ewell Hopkins asked that the scope of the HPP be defined, from Community Housing, topics like Edgartown's interests, affordable housing, etc.

Mr. Geller said the HPP talks to affordable housing at 80% of AMI, but he agreed that the committee should cover the broader housing issues. Mr. Seidman confirmed the emphasis for an HPP was on 80% of AMI.

Ms. Malkin expressed her general approval of the working group committee, but was concerned with procedure. She felt towns developing their own HPPs, and then combining them for a regional plan was not the best strategy. She felt regional coordination should be part of the process from the start. She gave an example of one town not being in the best position to meet 10% affordable housing goals because of the high cost of land, but that it could be in the position to contribute financially to another town better positioned for affordable housing.

Mr. Packish noted this was somewhat like a carbon exchange. Mr. Geller agreed that discussion should be on the agenda. He said it depended on how successful they would be in getting the State to see the issue regionally, and how much towns wanted to work together.

Mr. Packish felt that the HPPs and potentially a regional plan would lead to access to State funding. He said that larger projects would benefit from this process. He said scalability would require a regional approach. A citizen suggested a regional approach should be the starting point. Mr. Packish clarified that the HPPs were done town by town.

Christine Flynn explained that HPPs existed in part to protect against hostile 40B plans. She said that the MVC did this on another level for the island, but that the process and analysis was important to addressing island housing needs.

Marie Doubleday said that funding for affordable housing from the State varies from year to year and only begins at 80% of AMI, and that she has seen it as low as 30% of AMI, and currently stood at 30% to 60%. She also noted that AMI across the six towns showed quite a gap. She cautioned that there should be no discrimination between various town income levels. As an example, she didn't want to see Oak Bluffs "slammed" because of the low AMI.

Cheryl Doble said that it was important to start the process at the town level in order to achieve the level of detail needed to move forward. Mr. Packish said he felt the two processes could occur simultaneously.

Ms. Greenough made a motion to accept the draft of the proposed charter, and Mr. Hopkins seconded.

Mr. Geller expressed some discomfort at the structure of the AIPB, saying at some point it might consider "chartering up." Mr. Seidman explained his ideas in starting the group, with a goal of having an egalitarian process, moving from town to town with no chairman per se, meeting by choice and setting an example to the island.

Robert Fehl said the best way to work together would be to set some guidelines in writing. Mr. Packish noted this was a big issue that could be considered as its own agenda item in the future.

Ms. Doubleday asked that the role of affordable housing committees be considered in the process.

The Board voted unanimously to approve Ms. Greenough's motion.

Floating Buildings in the Harbor

Jeff Canha gave a presentation to the Board on the construction and mooring in Tisbury of his floating studio. He acknowledged that there were strong feelings for and against his project. He explained that he had designed the building, with three architects and a civil engineer inspecting the design. The Amish built the structure in Michigan. It was driven to Falmouth, set upon floats and towed to Vineyard Haven harbor. He emphasized that this boat was inspected by the DEP and was registered as a vessel. As a boat, it had a cabin, a head, a galley and bunks. It made one of six working platforms in the harbor.

Paul Doherty said he found this boat offensive, looking like a garage on a float, with the size taking away from the integrity of the harbor. He said it didn't have a bow or a stern or an engine, and that the burnt orange color was the only thing you saw in the harbor.

Mr. Seidman pointed out that the harbor was a District of Critical Planning Concern, but that there was no zoning within the DCPC applicable to this project. He said he had heard concerns of what could happen next. He said it could just as easily happen in Oak Bluffs, and that he put it on the agenda to see what other towns thought. With nothing to stop this, there could be a hundred of them, but he had no preconceived notions about the subject.

Mr. Packish said he thought it was important to put the topic on the agenda, and also important to have Mr. Canha give a presentation to show what went in to it. He said it was clear from the presentation that this was a costly endeavor. Mr. Packish said he personally felt boats with helicopters were what destroyed the harbor, preferring this sort of structure. He wondered how you create a regulation that prevents a boat like this but didn't stop a guy from staying on his sailboat, just because you enjoy sailboats.

Ms. Malkin asked Mr. Canha if he was a permanent occupant of the vessel. He said he was not. Marina Lent asked if the boat would stay in the harbor permanently. He said it would not be there in the summer, that the harbormaster had given him permission for this mooring at this time. He planned to move it to one of his own moorings.

Holly Stephenson suggested this was a vessel designed for protected moorings, and Mr. Canha said to the contrary that it was engineered for serious weather. Ms. Stephenson asked if there should be criteria related to this established for these types of boats.

Hyung Lee said this reminded him of Uber or Air BnB as regulations were not in place to respond to the intrusion. He asked the planning boards how they could respond, and if it would be retroactive. He also said he was upset with the harbormaster for allowing this. He said he felt his waterfront had been violated.

Mr. Packish asked Mr. Seidman to address the question. Mr. Seidman said they were still determining their response. Mr. Packish said he couldn't see how you could limit one style of boat within a DCPC.

Ms. Malkin said they should look at other harbors and their regulations, and consider hearings.

Ben Robinson said he felt this could be an opportunity to combat sea level rise for downtown, but that the town had to protect itself against less well engineered versions of similar boats.

Mr. Packish said it was time to move beyond this particular boat. Mr. Seidman agreed with Ms. Malkin that they should look at other places with existing regulations, and in the spirit of the AIPB they would share what they learned.

Mr. Robinson noted the demand was likely limited for these boats, and Mr. Packish said a lack of moorings was a limiting factor as well. Robert Fehl said every town should look into this, and consider size limits carefully.

Peter Bradford said it could be an exciting opportunity for affordable housing. Derrill Bazy noted that one of the most difficult barriers to affordable housing was the cost of land. He said zoning wasn't just about what something looked like, but where it was appropriate.

Mr. Packish spoke of the appeal of floating communities in the Pacific Northwest and Woods Hole.

Mr. Canha spoke of his trip to the European Union and floating artist communities. He said it inspired him to do this project. The harbormaster didn't think it was a good idea, but he didn't fight it, as it would be exhausting and futile, according to Mr. Canha. He said he had support from the working waterfront including Captain Bob Douglas, Ralph Packer, Nat Benjamin, Ross Gannon and his son.

Dean Rosenthal said he felt it was lovely, but that it opened a can of worms.

Bill Veno asked if the five working platforms had structures. Mr. Canha said they were open air working platforms.

Mr. Packish asked that the discussion conclude and that Tisbury share what they find in the future.

Letter of Support for S. 122: An Act Promoting the Planning and Development of Sustainable Communities

Ms. Malkin asked that the Board consider the two versions of the letter still circulating, with Edgartown's amendment to minor subdivision language. She also asked that the Board consider the language involving master planning unique to Martha's Vineyard and Cape Cod.

The Board discussed these details, with an emphasis on 5000 ft lots and grandfathering. Mr. Bradford explained how some grandfathering could be eliminated on small lots. Mr. Packish further clarified the issue with Mr. Bradford and Ms. Malkin. Mr. Turner pointed out that just because one topic wasn't included in the support letter, it wouldn't mean the Board was against it. Ms. Malkin felt that as it was one of the few topics specific to the Island, it should be addressed.

Ms. Malkin proposed that she finalize the letter and MacGregor Anderson proposed that he handle signatures on the single final version of the letter. The Board agreed.

Next Meeting

Chairman Packish called the next meeting with agreement from the other boards for March 23rd at 6 p.m. in Oak Bluffs.

Mr. Packish adjourned the meeting at 7:36 p.m.