

Minutes of the virtual meeting of the Affordable Housing Committee, Town of Oak Buffs, held on Tue Sep 7th, 2021, at 5.00 pm.

Present:

K. Mark Leonard, Chair
Peter Bradford
Jim Bishop

Absent:

Mark W. Crossland, Planning Board Rep.
Katherine Donahue
Garri Saganenko

Attending:

Deborah Potter, Town Administrator
David Vigneault, DCRHA
Christine Flynn, MVC
Maura McGroarty
Tim Peters
Diane Gandy

1. Call to order

Chair Mark Leonard called the meeting to order at 5.09 once a quorum was reached.

2. Minutes of the last meeting of Aug 17th 2021

Could not be confirmed as Peter was absent for said meeting; Minutes will be reviewed at the next meeting.

3. Updates from the AHC Chair

a. on nitrogen transfers: Chair reviewed the process, with assistance from Peter Bradford; AHC would need to engage an engineer; Chris Alley had worked with AHC before on these transfers; key would be to create a nitrogen credit slot; Jim noted that the amount of credits transferable from the doughnut hole would be a definite plus.

Chair provided some background for visitors i.e. Land Bank has written to the Town about the usefulness of a nitrogen credit transfer before the doughnut hole swop gets finalized; Town will have to respond, and Chair will speak to the Selectboard on that formality;

On our end, would Peter be willing to follow up? Pete kindly agreed. He will check with Chris Alley and will review nitrogen credits on AHC's current Lot set up to determine where nitrogen credits are most needed. He will report to the next meeting.

b. Chair noted that Committee members need to get their required Mass State 'Conflict of Interest' Certification session completed. Just a friendly reminder.

4. Southern Tier Project

a. Chair provided a brief recap for new visitors – the Project is moving along; we have released the RFP for it, to which responses are due by Oct 1st, and written questions/responses from Developers are due by Sep 8th with replies to them by the end of the week. Town Meeting will approve the needed Warrant

to authorize release of the property, after which we will be able to select a Developer; then on to Phase I with 15-20 units and then Phase II with 40-60 units.

b. Chair mentioned that his research had brought him into a review of the role, function and composition of the Resident Homesite Committee (hereinafter the RHC) , which was created in 1987. Peter stated that RHC members were Selectboard members, who had appointed themselves as such in order to deal with site restrictions on Town owned properties. The RHC continues to exist in and as the Selectboard.

Chair wondered if the RHC is an actual functioning committee, since it does not have meetings or minutes; he also noted that the Selectmen had appointed themselves to the Affordable Housing Trust in 2008 and that the By Laws were changed in 2009 replacing the RHC with the Affordable Housing Trust. Peter thought that the question might revolve around the Selectboard being open to relinquishing some of its control over property issues. He also pointed out that the Affordable Housing Trust has the authority to transfer property without seeking Town Meeting approval.

Chairman wondered, that being the case, if it would not be both clearer and more efficient if property deeds and titles that now carry both the names of 'Selectboard, Town of Oak Bluffs' and the 'Residents Home Committee' were replaced with that of the 'Affordable Housing Trust'.

Jim thought this would be an issue best addressed by Town Counsel. Would there be an advantage to changing the Titles?

Chair concluded that he would take the question of current RHC status to the Selectboard and the Town Administrator for purposes of establishing clarity on role and function.

c. Maura had questions and comments; firstly, when was the decision made not to transfer properties, and would it, having been some years ago, now be seen differently by the current batch of Selectmen? Further, is the Affordable Housing Trust a combination of the AHC and the Selectboard? And if it is, then the functional arrangements are surely confusing to Oak Bluff's residents, taxpayers and voters. Peter recalled that this had been discussed some 5 years ago or so; members present also confirmed that the Affordable Housing Trust consists of both the Affordable Housing Committee and the Selectboard.

d. Returning to the discussion on Southern Tier, Chair noted that there are now some 16 entities involved in the RFP process. Chair also noted that he had come across a piece of property on Hudson Ave that could be used for affordable housing. Peter noted being aware of this Lot and said that the tax title is not good but could be worked on.

5. Department of Mental Health Excess Property

a. For newcomers, this is a 1.5-acre Lot abutting the State Police Barracks in Oak Bluffs; IHT has approached DMH over conveying the property to them to be used for affordable housing comprising of some 48 units; meeting was held last week with IHT, State reps, Town Administrator over actual project and processes needed; Unit and bedroom size is an item of concern; IHT has done its own work on septic capacity and flow; Chair has not seem any paperwork on that; bottom line appears to be that State wants the Town to take ownership of the property as being designated for Affordable Housing; State has deemed it as 'excess' or 'surplus' and while they want market rates, they will give consideration to affordable housing use; as this is DMH, it would help if we added some mental health housing to the general use of it; it may be an opportunity for the Town to get 1.5 acres worth of affordable housing.

Peter noted that it would be necessary to get Selectboard feedback on this, since we have no idea how they view such a project;

Jim felt that if IHT wanted to develop the property, why not? They have both the staff and the capability; it would add to the inventory of affordable housing units that the Town is mandated to have, anyway.

b. Deborah Potter, Town Administrator: the issue is that the Selectboard knows nothing about this project; as such, the project cannot be supported; it is not about the Developer or the choice of Developer; it is more a lack of information and coordination; DMH wants to see the Town and IHT work out the entire project in advance before DMH will consider giving it to IHT. DMH would be willing to release it for \$1.00 even to IHT if the Town is willing to support the project; hence, it is a significant issue that IHT is thinking of a 72 bedroom project and no one knows about it; this is why the initial process has fallen flat.

c. Jim's response is that this being a DMH Lot, the Town cannot give it to IHT anyway; let it go back to the Selectboard and let them work it out with DMH.

d. Peter clarified that the project idea had simply come to AHC as an FYI from IHT; he did not want it misconstrued that AHC had voted on and approved of this project.

e. Chair added that Philippe Jordi of IHT had informed AHC in Jan of this year about IHT's ideas re the DMH Lot; Chair had subsequently mentioned it to J Balboni of the Selectboard, with no further action seen.

6. Veteran's Housing Project

a. Chair had sent the MV Times article about his briefing to the Selectboard on this project to members last week; he has also talked with the State's Dept of Veteran's Affairs about supportive services for this project – they gave good information about such services and of the many regional Coalitions involved; this project is coming from the Cape & Islands Veteran's group that is looking to enter into a long term lease with a Developer on a Vineyard Veteran's Housing and supportive services project; we will need to get the Warrant ready by Oct 1st for Town Meeting on Nov 10th; so we have 3 weeks left on that. The Selectboard approves in principle but would like to know more.

b. Jim asked if we were going forward with a divided property idea i.e. 2 sub-Lots? Chair responded that we should just go for the 4.6 acres first and decide that step later. Jim also noted that the Cape & Islands Veterans group personnel are really interested in moving on this, and he has to keep reminding them that we are not at the stage where we can seek donations! interested groups and persons need to be aware of the sequential nature of the process involved and keep to it; he has made effort to try to ensure this.

c. Chair noted that a veteran in need of housing and supportive services has just been referred to an off-island facility because the Vineyard does not have anything to offer yet.

d. Peter felt that to bring 2 Articles to Town Meeting might be biting off more than AHC can chew? Chair responded that the eight acre project has been in the works for a long time, and we are really at, as Jim so often restates, a very critical juncture when it comes to affordable housing on the Vineyard. Peter also asked if we could take the position of Veteran's Housing being a legal category i.e. set aside for Veterans? Chair responded that we could. Mass State's Civil Rights Act, as Selectman Packish has pointed out, covers Veterans as a 'protected group'. Veteran's Housing comes with supportive services to help them get back on the ground.

7. Member Updates

Jim: a Q re Johnny Leite's encroachment on AHC Lots – current status' - Chair responds that Counsel Goldson is working to confirm Titles, after which we can move forward; Peter noted that there are 3 buildable Lots there; Jim wondered if Duplexes were possible? Peter felt that we need discussion and decision on that one.

8. Public Comment

a. Tim Peter, abutter to the proposed Veteran's Development project, commented that he was disappointed to learn about it from the Newspapers; he stated that residents need and want to give input on such projects.

b. Chair responded that going forward, abutters would be both invited to AHC meetings and kept informed of developments; up to the present moment, AHC has not been able to say anything on the notion, up until the Selectboard gave support in principle; now it can be pursued, and folk may be informed; anything before would have been both premature and not according to Town established procedure on these matters. Once established, AHC is able to follow established procedures; comments and questions are always welcome – this is why there is specific place in our Meetings for public comment. Chair then advised abutters to give their email contact info to the AHC Secretary so that we could keep them in the loop.

c. Peter referred to the process in which AHC had been approached by the Veterans folk over the last few meetings; had listened to the idea, and had then brought it to the Selectboard; AHC is an advisory Board, and makes no executive decisions on these matters.

d. Jim added that AHC's only concern continues to be Affordable Housing for our workers; we keep losing youth on the Vineyard because they cannot afford the housing!

9. Adjournment

There being no other business, Chair looked to a motion for adjournment; so proposed by Jim Bishop, seconded by Peter Bradford, approved by all members present. Chair Mark Leonard then declared the meeting adjourned.

R George Eli
Secretary
Affordable Housing Committee
Town of Oak Bluffs