

## **Housing Bank Review Committee (HBRC)**

**July 13th, 2022**

**5:30 pm**

A meeting of the Committee was held on the above date and time via the Zoom Application. Members present were:

Chilmark – Jim Malkin,  
Edgartown – James Hagerty  
Oak Bluffs – Mark Leonard  
Tisbury – Rachel Orr  
West Tisbury – Jessica Miller

Mr. Hagerty took attendance and then Mr. Malkin opened the meeting at approximately 5:31pm.

Mr. Malkin then asked the committee to approve the minutes. Mr. Leonard motioned to approve, Ms. Miller seconded. Unanimous.

Mr. Malkin then asked the CCHBMV (John Abrams and Laura Silber) to present their proposed amendments. Mr. Abrams then shared his screen to the, “Act Establishing a Martha’s Vineyard Housing Bank” draft document.

Mr. Abrams then referenced Line 30” New Construction” and Line 32 “Previously Developed Property. Mr. Abrams then expounded on the intent of the suggested amendment, and the necessity to eliminate the current language from being up for interpretation.

Mr. Malkin then suggested that Mr. Abrams go through all of the amendments and the Committee would ask questions after. Mr. Hagerty would annotate specific lines for follow on questions/discussion.

Mr. Abrams then continued his presentation and made reference to every suggested change, following by a short explanation of respective intent. More specifically, Line(s); 70, 71, 108, 135, 267, 271, 272, 275, 276-284, 312 -315, 329-332 and 605-612.

Ms. Miller then asked about Line 30, and explained her concerns about the ambiguity of the definition of previously developed property. More specifically, how the CCHBMV would determine the 75/25% spread of previously and undeveloped property in comparison to the definition. Mr. Abrams responded that a lot of the interpretation would be up to respective Town building inspectors. Mr. Malkin suggested that further and more detailed discussion could occur during the future deliberations of the Committee.

Mr. Malkin then asked about Line 135, and the rationale of not allowing a member of the CCHBMV to concurrently serve on the Town Advisory Board (TAB). Mr. Abrams said that the decision was made based on feedback from the Towns. Mr. Leonard asked if this framework was consistent with the Land Bank. The Committee agreed it was not.

Ms. Orr then asked about Line 275, and if the CCHBMV had examined conservation maps to determine how much land was not available for development. Mr. Abrams suggested that the maps should be pulled to give more clarity.

Mr. Hagerty then asked about Line 283 and if the nitrogen mitigation offsets considered wastewater infrastructure not just enhanced septic. Mr. Abrams responded that it was only enhanced septic and wetlands enhancements.

Mr. Hagerty then asked about Line 330 and the rationale behind allowing CCHBMV funds to be used for nitrogen mitigation without permanently restricting market rate properties. Mr Hagerty was concerned that it did not take into account down island sewer operations. Mr. Abrams said the intent was to not burden someone with a permanent restriction, if it was simply nitrogen mitigation infrastructure. Mr. Malkin and Ms. Miller were concerned that the CCHBMV was now proposing to use affordable housing money for nitrogen mitigation on market rates homes.

Mr. Malkin then asked about Line 609-612; and how the CCHBMV could commence without actual funding via a transfer fee. Mr. Abrams referenced Nantucket’s Housing Bank functioning without funding for the last several years, and that MV could have an ‘unfunded’ housing bank without formal state approval. Mr. Sibling said that based on her conversation with the State legislators, the architecture for Housing Bank could be established with the expectation that a future transfer fees Bill would be passed.

Mr. Malkin then asked for any questions from the general public.

Mr. Devin Reston made a comment about digging for enhanced septic and preserving historic relics.

Mr. Phil Cordella made a comment about CCHBMV members serving concurrently on the Commission and the TAB, and the possible lacks of checks and balances.

Mr. Malkin then suggested the times for the next HBRC meetings in the first and second weeks of August.

The Committee than briefly discussed the pending legislation for future Zoom meetings.

At 6:35 PM the meeting was adjourned.

Respectfully submitted,

James Hagerty  
Edgartown Town Administrator