

Edgartown Affordable Housing Committee Meeting Minutes
November 14, 2023 at 5:30 PM
Edgartown Town Hall

Members in Attendance: Chairman Mark Hess, Vice-Chairman Jason Mazar-Kelly,
Maria Ventura, Cornelius Moriarty, Casey O'Connor

Mr. Chairman called the meeting to order at 5:30 p.m.

Minutes: Mr. Chairman started with October 24, 2023 minutes. Jason Mazar-Kelly motioned to accept the October 24, 2023 minutes. Maria Ventura seconded. All present voted in favor and motion carried.

Old Business: Mr. Chairman announced the Meshacket (LDA) Land Development Agreement with Attorney Karen Burke would go first from the Agenda. Jason Mazar-Kelly asked, Mr. Chairman if any voting for Meshacket would occur as he would recuse himself. Mr. Chairman responded No. Attorney Burke stated the goal is to get finalized information from Edgartown to present to Meshacket Team counsel. Attorney Burke shared the following request from Meshacket Counsel: (1st) to delete from the LDA attached to the Request for Proposal (RFP) requirement that the Developer required to have \$5 million umbrella insurance coverage because it is not required by MA Housing Finance Agency. The Edgartown Affordable Housing (EAH) Manager provided an update from Town Insurance Representative, Sarah Hughes, stating although the umbrella insurance coverage is not required, it is recommended from a liability and risk management standard. Also if this \$31 million dollar project was off island the Developers would be looking at \$10 million to \$15 million umbrella insurance coverage. Therefore the \$5 million dollar umbrella insurance coverage that Edgartown wants from the Meshacket Developer is more than fair. The Committee responded No to the 1st request. (2nd) The Ground Lease attached to the RFP provided if a mortgage given by the developer is foreclosed, the Affordable Housing restrictions would still apply; they would not be wiped out or terminated by the foreclosure; Meshacket Counsel wants to change it, so that a foreclosure would terminate the Affordable Housing Restrictions. After thorough discussion of commercial real estate higher interest rate and cost to get a loan, alongside Meshacket great argument. Town Administrator Mr. Hagerty stated we also have a great argument from a 30B paradigm. The Committee answer was a hard No for to the 2nd request. This is due to the responsibility of protecting Affordable Housing from market values. (3rd) Under Ground Lease Meshacket counsel requested to extend from 24 months to 30 months after the RFP to complete the structure for both rental and ownership units. The Committee answered, Yes that's ok to the 3rd request. (4th) After the 99 years lease end date, Meshacket counsel request to extend from 90 days to 180 days to remove structure. The Committee answered yes to the 4th request. The Committee agreed to 45 days to cure, if cannot be reasonable cured in that time, it can extend to 120 days. Attorney Burke informed the Committee that the LDA and Ground Lease will be sent to Meshacket counsel with all the above revisions. Once Edgartown Affordable Housing Board approves the revised LDA and Ground Lease then it will go to the Select Board for signature.

Town of Edgartown Warrant Article – After discussion the Committee decided on the following two proposed warrant articles (1) that the Town votes to increase the Short Term Rental Local Tax Rate from 4% to 6% pursuant to G.L.C 64G Section 3A. (2) that the Town votes to Transfer the sum of \$500,000 from free cash to the Edgartown Affordable Housing Trust. Jason Mazar-Kelly motioned to approve the two proposed warrant articles with the discussed edition for the presentation purpose. Maria Ventura seconded. All presented voted in favor and motion passed unanimously. James Hagerty suggested to the Committee to encourage public discussions whether by zoom and/or in-person prior to the multiple public hearings. The Committee agreed and said they will keep the Select Board informed accordingly.

Mr. Hagerty reported the Warrant Articles are due December 15, 2023 but deadline is January 2nd, 2024. Mr. Chairman then announced the next Committee meeting will be held on December 12, 2023 to finalize the Warrant Article so it can be submitted by the due date. There was a discussion on the explanation for the two proposed warrant. To frame the explanations around the support it can provide to the list of programs, how it can offset Town cost from a State Legislative stands. The Bottom line emphasis is educating the homeowners they are not paying this and the overall increase will benefit Edgartown. Vice-Chair suggested reaching out to Ms. Silber from Martha's Vineyard Commission (MVC) to get a more condensed summary bullet point. Another responded, to leverage Ms. Silber knowledge in getting a solid response on public discussion process, information and preparation. It was asked if an Article Warrant is needed to get funding for Housing Production Plan that can qualify Edgartown for Safe Harbor with the State? Also, Meshacket should bring Subsidized Housing Inventory (SHI) to the required 10%. It was advised that MVC should be able to assist Edgartown with its Housing Production Plan without any additional cost.

Dukes County Regional Housing Authority (DCRHA) Update - Mr. David Vigneault reported six turnovers in a couple of months which cuts deeper into stability. The DCRHA can go through 12 to 14 members on the list before finding people who are still here and can afford it. In regards to the Edgartown Housing Heroes Outreach they will keep track and provide monthly update to Shanette Deleon. Mr. Vigneault also reported meeting with Laura Silber the Island-wide Monitor with forward thinking on the notion to spot check Affordable Housing Higher income and year round residency. The DCRHA is capturing the numbers from the waiting list of 100% to 150% AMI (Area Median Income) and will provide to Edgartown Affordable Housing (EAH) Manager. James Hagerty also requested explanation on the current income percentage served. Mr. Vigneault explained HUD (Housing Urban Development) gives each county 100% market income but below 30% needs a housing voucher. There are two main percentages the Subsidized and the Area Median Income.

Housing Heroes Update - EAH Manager briefly report that the Edgartown Housing Heroes mails did go out in November and currently waiting on responses. It was suggested since EAH Manager is the first point of contact; Mrs. Deleon should forward all responses to DCRHA since they are the administrator of this program.

Chappy Lot Update – EAH Manager reported Town counsel title examiner is doing work to determine the exact heirs needed to contact. Once completed, Town counsel Isabelle Lew, will work on drafting a release deed and a letter for the board's review.

Area Median Income Increase Update – EAH Manager reported both Attorney Ron & Isabelle from Town Counsel Firm had a conference call to explain that all towns are trying this now. Suggesting the Town of Edgartown and Affordable Housing Boards all meet up with the State, Senior Cyr to get the (CPC) Community Preservation Committee rate increase. Mrs. Deleon related to Town Counsels that the Edgartown Affordable Housing Boards are only trying to increase their maximum allowable AMI percentage rate not the CPC rate. Vice-Chairman shared it was suggested for Edgartown Affordable Housing to utilize KP Law since they specialize in municipality law and already have assisted other town to do exactly what Edgartown Affordable Housing Boards are trying to accomplish. This way Edgartown Affordable Housing Boards will avoid the mishap that has happened with one of our neighboring town utilizing our same town counsel, on this specific request to increase the Trust maximum allowable (AMI) percentage rate.

New Business: Master Plan/Housing Production Plan. Ms. Juliet Mulinare reported in the Master Plan it has a Housing Production Plan section and she needs to identify things that this Committee is working toward for the future. This way it can be used as a tool to secure funds for 5 to 10 years. Ms. Mulinare went over the main goals the Committee is currently working on and requested feedback. Mr. Chairman responded that Ms. Mulinare information was correct and should continue working with Mrs. Deleon in regards to getting it completed.

Vineyard Power – Luke Lefeber and Thamiris Marta introduced themselves as representative of Vineyard Power. Mr. Lefeber gave an overview that Vineyard Power is a local non-profit that is based here and was established in 2009. Their goal is to promote and develop the transformation of Homes from fossil fuel to renewable energy. The purpose is to present their Energy Transition Program and specifically programs available to the income eligible community members that will reduce their electricity costs, improve their homes energy efficiency through weatherization and electrification, no-cost installation of solar and battery storage and financing options to cover any out-of-pocket expenses. They are currently working on the Energy Sufficient Program V.P. This is similar to the Cape Light Compact program. Vineyard Power process is to perform the income qualification and the engineer examines the property to make an efficiency plan specifically for the property. Mr. Lefeber stated, the Income qualify state wide below 60% basically at no cost. While the income over 80% covers the cost of installation and winterization work. Mr. Lefeber announced Vineyard Power was referred by Laura from MVC. Vineyard Power would like to get to the Edgartown Affordable Housing Homeowners to share their program. Mr. Chairman requested a flyer or paperwork that can go on the Edgartown Affordable Housing Website; in response Ms. Marta will send it to EAH Manager.

Mr. Chairman reported the Trust had approved the funds of \$2,000 to MVC for the updating of the Housing Need Assessment. In response, the Committee supports the Trust approval.

Correspondence: 9 Haystack Lane Demo Letter – Maria Ventura motioned to approve the demolition of 9 Haystack Lane property. Jason Mazar-Kelly seconded. All presented voted in favor and motion passed unanimously.

The meeting was adjourned at 7 PM.

Respectfully Submitted,
Shanette Deleon



Edgartown Affordable Housing Committee

12.12.23

Date of Approval