

## **Edgartown Affordable Housing Committee Meeting**

**Tuesday February 25, 2020 at 5:00 PM**

Members in Attendance: Tim Rush, Mark Hess, Christine White

Chairman Hess opened the meeting at 5:00 PM

Minutes: The minutes from January 21, 2020 could not be accepted due to lack of quorum.

Old Business:

Inventory: Chairman Hess introduced Laurel Zettl, the owner of 65 Pease's Point Way, to the Committee and informed Ms. Zettl that the Committee had some questions and concerns regarding her resident status at her home. Chairman Hess also commented that it was not the intention of the Committee to accuse her of any specific wrong doing however, the Committee was interested in the clarification of on-going observations, by multiple parties, that her home was lacking activity and often void of occupancy. Chairman Hess went on to say that in Ms. Zettl's agreement (deed) it is stated that the residence must be her primary residence and the Committee would like to hear her side of the story to clarify that it is indeed her primary residence, (and that the island) is where she is employed.

Ms. Zettl, replied that it is her primary residence, to which Chairman asked how much time did she spend at the home. Ms. Zettl answered, that she travels, visits her family and sees her boyfriend.

Ms. Zettl continued to state that she leaves the state to travel and asked the Chairman if that isn't allowed and continued to state that she pays taxes, in MA and does not own anything anywhere else.

Chairman Hess then asked if she was employed in town. Ms. Zettl replied that she was employed for 18 years and had a negative personal experience that then led to her current status of unemployment.

Ms. Zettl then stated, that she will be employed this summer, but is currently unemployed.

Tim Rush stated that he believes that the issue is that the home is consistently dark and uninhabited for months at a time and people are complaining because it is affordable housing and there is a long list of people (trying to obtain affordable housing). Mr. Rush goes on to say, that he personally drives by the house 10 or more times a day and is in the neighborhood all the time and that Ms. Zettl is never at her residence.

Ms. Zettl then replied that her neighbor is never there either to which Mr. Rush replied that currently the Committee was addressing her status and that other residents have been contacted regarding their own statuses. Ms. Zettl replied that she has gone down the list of what is asked to verify residency and that she meets those requirements to which the administrator asked if she could clarify exactly how much time she spends at her residence. Mr. Rush asked how much time she has spent at her residence in the last year. Ms. Zettl replied from January of last year her father had a stroke and then passed away in May and she needed to go home (for that). Then she was here for the summer and then she went to school. Ms. Zettl then asked if she wasn't allowed to go to school off island, she just wondered. Mr. Rush replied that the Committee are not the enforcers but need clarification to why the house is dark for months at a time and there are many other year-round residents that would like to have a year-round home. Ms. Zettl replied that she was trying to answer his questions and inform him that her father had a stroke, passed away, she came back and was at her residence over the summer, went to school...and is she not allowed to do that. The administrator explained that in most cases, (in affordable housing situations) in ownership situations, year-round residency is considered 11 months out of the year, that is what Dukes County Regional Housing Authority base primary residence on. Ms. Zettl states that this is her primary residence, the administrator replied, that this is the case, if she is there 11 months of the year. To which Ms. Zettl replied that she is there, and goes on to say that she has

lived in Edgartown since 1995 and she has lived in this home since 2009, she left the job that she had in 2018 and does not know what else she can say. The administrator asks Ms. Zetzl if she is saying that she lives at her residence 11 months out of the year, to which Ms. Zetzl replied that for the most part she is there 11 months out of the year, yes. Chairman Hess asked Ms. Zetzl if going into the next year, does she intend to have employment on island and spend more time on island. To which Ms. Zetzl replied, that she hoped so and that is her plan and that she is here (currently) and that she doesn't know what else to say about it.

Chairman Hess stated that the Committee is not here to be mean about it or give her a hard time, but the Committee has certain responsibilities to follow-up on agreements that have been made between the owner and the entity to make sure that codes of conduct are being followed within that agreement.

Chairman Hess goes on to say that if anyone feels (either the entity or other people) like the intent of that agreement isn't being followed, the Committee has to look into it and discover whether or not there is a problem. From the Committee's view point, there is an issue to the amount of time the residence is being occupied and for the purposes it is supposed to be occupied. Chairman Hess stated, that he believes Ms. Zetzl considers her home her primary residence and that he is sorry about her father and everything else she's been through, but if she is gone for six months and coming back or go to school for three months and coming back, that (that time frame) is not really the intent of what she was given. Chairman Hess goes onto say, that he is aware that she has also put a lot into what she was given.

The Committee must determine, with her help and understanding, what is actually going on there. If she feels that she will be more involved here, spending more time on the island and not going away for two months or three or six then that is one thing. Ms. Zetzl then states that the school was a one-time thing that she wanted to do for a very long time and if she had known that she needed to come and ask about that, she would have. Chairman Hess replied that going to a school is definitely acceptable because it's a one-time thing but she does understand the nature of the program. Ms. Zetzl replied yes, she did understand and completely agrees with that and when she got the letter and it said that (there were issues regarding her residency status) there issues with the property, Chairman Hess interjected that he did not feel that the look of her property was the Committee's issue unless it was in total disrepair. Christine White asked what the complaint was to which the administrator replied that the complaint was that the outdoors were not being up-kept in terms of the landscaping however that in itself was not the issue so much as it (the home) looked as if it was abandoned and the owner was not there taking care of it. Chairman Hess expressed that he understood from that point of view for something like that, if it has the feeling of being abandoned, or something like to that extent but just complaining about the hedge being trimmed is not the Committee's concern.

Ms. Zetzl reiterated that this (her residence) is her home and she has put a lot of work into it and contrary to what people are saying she has put a lot of effort into her garden and tried to make it nice. Chairman Hess then reiterated that he hopes that she understand that the Committee has a duty to follow-up on the things that he has explained, that the place was built and designed for a purpose and that the Committee feels that the purpose is not being met, legally or not legally. The Chairman stated that he hopes, now that there is a record of the situation that there will be a more obvious presence at her residence and that she has to be more aware that she needs to be here if she wants the home to continue to be what it is set up for.

Ms. Zetzl then says that she worked remotely for the last six years, at her last job, so she could work from wherever she wanted so she may not be sitting in her house every day. Ms. Zetzl goes on to say that she really understand affordable housing and she thinks that it is a wonderful program but what she doesn't like about the affordable housing program is that she has neighbors coming over to her property when she has had family staying in her home, (though she understands the town house a 99-year lease) coming over and asking her relatives, who are you? What are you doing here? How do you know Laurel? What is your purpose here? That to her is not a nice affordable housing thing. Christine White asked who was saying this, not that she has to name names to which Laurel said her neighbors.

Tim Rush replied, that if a place is empty for a long period of time and then suddenly someone else shows up, maybe they are just being neighborly. Ms. Zettl replied that it was not being neighborly and that it has happened several times and they've also complained about the property. Mr. Rush then replied that the fact is that the place is black and then putting a timer in after she was notified that there was an issue, the fact remains that this is a program to give a people a place to live while they work on Martha's Vineyard and this is not happening. Chairman Hess then states that there have been several instances where the 11 month residency has had to be enforced and some of the monitoring entities are really strict about these terms. The Committee is trying to work with her and try to understand her circumstances and to ultimately be here for her but she needs to understand that her home needs to be her primary residence. This does not mean that she cannot go to Europe for two weeks or school for 3 months or whatever else may intermittently come up, but the Committee feels that she is using the house outside of it's intended purpose. That is the feeling that the Committee has and Chairman Hess explains that he understands that everyone has their own circumstances and difficulties that come up, but the Committee has given this particular issue a lot of time since it was brought to their attention over a year ago and although the Committee appreciates her coming in, she really needs to use the premises more to how it was intended and potentially make some decisions to where she will be. Ms. Zettl replied that this is her home, her friends are here she has EMT'd here, it's her home. Chairman Hess then states that he is not trying to give her a philosophy, the Committee is trying to be helpful but if it comes to it, the Committee can get strict about the residency requirement. Ms. Zettl then asks if she can give a hypothetical scenario and then starts to speak on a situation where she has a boyfriend and just stops by the house to pick up clothes, Chairman Hess interjects and states that the Committee is fully aware of the other situation and they are dealing with that case separately as well.

Ms. Zettl states again another hypothetical situation and Chairman Hess interjects that the Committee will not deal in hypotheticals, Christine White also states that the Committee is aware of the other situations. The administrator states that the Committee individually deals with every situation. Ms. Zettl states that she understands and that it is her intent to be here.

Tim Rush asks if she has been being an EMT for the last two years to which Ms. Zettl replies I am an EMT yes. Mr. Rush says that he is sorry, what he meant to ask was she an EMT in Edgartown for the last two years. Ms. Zettl replied that yes she ran in Edgartown last year. Tim Rush goes on to say that is one way to prove that she has been living here. Ms. Zettl then says, she didn't have a call but she did run and she said she was here last year and she left because her father passed away and she went to school. Mr. Rush questioned if she had been pulling shifts as an EMT to which Ms. Zettl replied that there are only so many shifts that can be signed up for in a month but she's still an EMT in Edgartown. Chairman Hess states that he doesn't want Ms. Zettl to feel like the Committee is looking over her shoulder he just wants to reiterate that he does not want to have to revisit this and going down the road, if she doesn't feel like she can follow the restrictions of living in her home then she should contact the Committee because there are a lot of people in line and she has been given a real gift and he doesn't want to see it being taken advantage of. Chairman Hess thanked Ms. Zettl for coming and Ms. Zettl replied she is appreciative of the opportunity to have her home to which Chairman Hess replied forgive him but maybe she should read her deed rider thoroughly to better understand it's conditions. Ms. Zettl stated that she had just done so and understands.

The administrator will call Carol Mariner to follow-up with her on the High Street matters. Ms. Zettl failed to convince the Committee that her residency requirements were being met.

Morgan Woods: Janet Hathaway, assistant for the board of health came to the EAH Committee meeting to inform the Committee that she has received complaints about mold and a general lack of attention from the management. Tim Rush asked Ms. Hathaway if the Board of Health did investigation into the

complaints and Ms. Hathaway replied that over the summer when they (Morgan Woods) were doing some replacement of material, they were shown some pictures, however, management seemed to not take heed. Mark Hess suggested that the assistant send a letter to Morgan Woods at the Corporate offices in Boston from the Board of Health, the Affordable Housing Committee and the Board of Selectman, saying that we have received and have documented some serious issues regarding up keep, mold issues and access to management and we need to speak to someone right away. The administrator will send the letter certified mail and via email to expedite the process. The Committee would like the administrator to look further into the agreement made where there would be an onsite manager and maintenance person.

Meshacket RFP: The administrator informed the Committee that she received the Land Lease and Land disposition from town council and will send those pieces to the Committee for their review along with the current draft of the RFP by the next meeting.

28 Jason Drive: Chairman Hess informed the Committee that Candy Nichols came by the Affordable Housing office to look for documents regarding rules and regulations for affordable housing home ownership properties. The administrator has explained to Ms. Nichols that the only rules and regulations they have were outlined in the deed riders and Chairman Hess explained that any additional information could be found on the town website. Chairman Hess reviewed Ms. Nichols position on why her client would like to receive more than the max resale amount outlined in her deed rider. Ms. Nichols explained to Chairman Hess and the administrator, that what was owed to the bank for the mortgage on the property would be approximately \$300,000.00. The total that the town has offered via the calculation of what is in the deed rider would more than cover that debt and in fact in over \$100,000.00 over that amount.

The next step in the process will be the inspection of the property. Chairman Hess, the town building inspector and Isabelle Lew of Reynolds, Rappaport, Kaplan and Hackney will inspect the property on February 28, 2020. The administrator informed the Committee that during the meeting with Ms. Nichols, she stated that her client had an inspection done but they will not be sharing the information that was provided by the inspector. Instead they intend to hold onto the information in case of the need for rebuttal of the towns findings.

Field Club: The administrator will follow-up with Sean Murphy regarding the field club records and the remainder of the funds owed to the Trust.

The Chairman suggested that the administrator try to have a piece in the papers about the Meshacket RFP being ready to go out to developers to inform the community that things are moving along.

New Business:

The administrator asked if Robyn Joubert got a lien on her mortgage for TRI to make repairs on her home if she needed approval from the Committee to do this. The Committee expressed that yes, she would need to come in for approval.

The Committee agreed to have the next two meetings held in March on the tenth and the twenty-fourth of the month.

Demo Delays: There were new demo delays

Correspondence: There was no new correspondence

The meeting was adjourned at 6:00 PM

Respectfully Submitted,  
Arielle Faria