

Edgartown Affordable Housing Committee Meeting
Tuesday July 17, 2018 at 5:00 PM

Members in Attendance: Vice-Chairman Tim Rush, Christina Brown, Christine White, Nancy Trimper, Melissa Vincent, Maria Ventura

Vice-Chairman Tim Rush opened the meeting at 5:00 PM

Christine White made a motion to accept minutes from June 19, 2018. Christina Brown seconded the motion and the motion passed unanimously.

Vice-Chairman Tim Rush welcomed the new member Maria Ventura, the assistant offered to meet with Maria to review what the committee is currently working on, past and present projects.

Old Business: Tim Rush announced that Jennifer Morgan was present to discuss her Chappaquidick property at 28 Jason Drive. Ms. Morgan thanked the Committee for generously extending permission to rent her property while she had financial hardship. Ms. Morgan went on to tell the Committee her current financial situation had changed for the worse because the tenants that had been in place since the summer of 2016 and were renewed for the following year through November 2018 texted her to say that the husband lost their job, it was too difficult on Chappy and were giving Ms. Morgan their 30-day notice and leaving. Tim Rush asked if that was the end of their lease and Ms. Morgan replied that they were supposed to be there until November 30th. Ms. Morgan then commented that she thought she would retain a lawyer because she cannot pay (the mortgage). Ms. Morgan continued to say that she was not making any money off of the property and that she had not yet responded to the tenants yet because she'd been trying to get advice on how to proceed with it. Ms. Morgan adds that a year and a half later that her financial situation is worse than when it began and thusly she needs some help. Tim Rush states that he believed the Affordable Housing Committee's biggest concern was the fact that the house is not owner occupied, he goes on to state that he believed that it was in Ms. Morgan's deed Rider in more than one place and that the program that it was awarded in said that it would be owner occupied to build the workforce. Ms. Morgan stated that it was her intention, as she was born and raised in Edgartown, she wanted a home in Edgartown and thought that she was going to live, work and retire in the town she grew up in and none of that had happened so she is stuck. Ms. Morgan stated that she would prefer to be occupying her house as it is her home and where she wants to live but she cannot afford it. Tim Rush reiterates what Ms. Morgan is saying, asking was it that she could not afford to live on Martha's Vineyard and pay the mortgage. Ms. Morgan stated that she hadn't had gainful employment since December 1, 2016. Ms. Morgan states that no, all it's done is pay for the basics, it hasn't given her a penny in her pocket. Tim Rush asks Ms. Morgan if she has any intention of living in her house on Martha's Vineyard? Ms. Morgan stated that she is living with her mother and going back and forth from NY, staying with friends there because she needed to, for lots of reasons but she is currently living in her mother's guest room. Tim Rush then adds, that going forward, as the deed rider states many times, should be owner occupied, does she see herself occupying her house, is that in her plans or intentions? Ms. Morgan states, in a perfect world, realistically it would be her desire, but not unless she finds a job that will enable her to pay for it. Melissa Vincent asks Ms. Morgan if there is something that she is asking of the Committee or is she coming in and updating the Committee? Ms. Morgan replies that she is updating the

committee because the tenant issue is what really hit her, making things worse. If nothing really significantly changes in her life ultimately she probably will have to sell the house.

Ms. Morgan goes on to discuss her financial hardships. Tim Rush states that he believes that the return on her investment is the highest one offered, he thinks it's five percent that she would receive when the property is sold. Ms. Morgan then commented that she had seen the rate at 5 percent. Ms. Morgan states that this rate is all well and good and she hasn't done any figuring or formula work but it's still going to have it way under fair market value and she'll walk away homeless under the current restrictions. Tim Rush interjects, under the deed rider that Ms. Morgan signed that enabled her to build the house, Ms. Morgan would come out clean, not making anything was that what she was saying? Ms. Morgan replied probably, she hadn't yet done the math but this was probably the case. Ms. Morgan added that five percent would not help her and further discussed her concerns. Ms. Morgan and her family discussed at length their concern regarding inconsistencies with ZBA decisions and substandard lots. Ms. Morgan feels like she had been more restricted than other people that were actual participants of the Affordable Housing Committee's program. Which she didn't believe she was.

Tim Rush asked if Ms. Morgan knew that she would have to go through the Zoning Board to get a special permit, to which Ms. Morgan responded yes. Tim Rush also asked if Ms. Morgan had a lawyer when she closed, to which Ms. Morgan replied yes. Tim Rush expressed interest in the answers to these questions for the purpose of having potential answers for town council if necessary.

Ms. Morgan expressed that she wanted questions answered regarding her deed restriction and questions answered about modifications. Tim Rush explained to Ms. Morgan that the Committee doesn't have the power to modify her deed Rider to which Ms. Morgan replied that someone does. Ms. Morgan also explains that she as of August first could move into her house but she couldn't pay for it. Christine White asked Ms. Morgan if she was telling the Committee that she wants a modification because there are different situations for different people. Ms. Morgan replied yes, and asked why couldn't her deed restriction be modified to 10 years? Christine White replied that the Committee has no authority to do that, that has to go to town council and be discussed with them. Tim Rush added that he did not believe it to be the job of the Committee to ask town counsel on this, it should originate from the owner of the piece of property. Ms. Morgan's brother expressed concern that the Committee would wash their hands of the situation. Melissa Vincent reiterated that the Committee does not have the right to modify anything, the Committee didn't create it, and does not have the right to modify it. Ms. Morgan asked who can modify it? Melissa Vincent replied that the ZBA came up with that restriction. The only thing that the Committee is given from the ZBA is the ability to income qualify someone when they are going in front of the ZBA. The ZBA will ask the Committee what their preference is, but 9 times out of 10 the ZBA makes their own judgement calls and truthfully and honestly the Committee wants in perpetuity because the Committee wants to save this type of opportunity for the next generation of children. If the Committee gave a recommendation to the ZBA they would always say in perpetuity, the ZBA does not have follow the recommendation but the Committee always recommends it. Jennifer Morgan and family expressed concern with the Committee's recommendations for deed restrictions in perpetuity. David Vingault introduces himself as a part of the Dukes County Regional Housing authority, and explains to Ms. Morgan how selling an affordable house works. It's not an equity investment but an affordable option.

Melissa Vincent recommends to Ms. Morgan that she come up with what she would like to see

happen and work towards that so if she would like to see a modification of her deed restriction Ms. Vincent would suggest Ms. Morgan write a letter to the zoning board of appeals and cc the selectman's office, the planning board, and affordable housing committee office and ask for a hearing for a hardship modification.

Melissa Vincent reminded Ms. Morgan why a representative of the Affordable Housing Committee is present at the ZBA meeting. The application had to be income qualified through the Committee then go to the ZBA to say that she was income qualified by the affordable housing committee and the ZBA asks the affordable housing committee what would they like to see for restrictions and the Committee will always say perpetuity, that's what the Committee does and is who they are, they are an affordable housing committee looking to keep affordable housing in perpetuity. That will not change for the Committee and the Committee will not say anything else. The ZBA then decides whether or not they heed the Committee's recommendation.

David Vingualt explained to Ms. Morgan and her family the process in how to income qualify a potential renter if that is what she decides to do. Ms. Morgan would then have to get approval from the Affordable Housing Committee. Ms. Morgan discussed the hardships of living on Chappy and renting a house. The Committee expressed understanding of her concerns. Tim Rush concluded the conversation after one-hour and twenty minutes.

The Committee briefly discussed Meshacket, the assistant informed the Committee that town counsel is working to get the title insurance.

David Vingualt informed the Committee that applications just closed for Scott's Grove with 60+ applicants.

The assistant informed the Committee she sent the letter to the building inspector regarding Mariner's Landing.

There was no new business.

There was no correspondence.

The meeting was adjourned at 6:30 PM

Respectfully Submitted,

Arielle Hayes