

Edgartown Planning Board Meeting Minutes

August 2, 2016 at 5:30 PM

Town Hall – 1st Floor Selectmen's Room

*Members in Attendance: Chairman Alan Wilson, Robert Cavallo, Michael McCourt and Robert Sparks
Staff in Attendance: Georgiana Greenough, Assistant; Lucy Morrison, Clerk*

Chairman Alan Wilson opened the meeting at 5:30 PM.

5:30 PM: Affordable & Community Housing Terms and Definitions

In Attendance: Christine Flynn, MVC

Ms. Greenough introduced Ms. Flynn as the Affordable Housing Planner from the MVC. Ms. Flynn approached the Board. She mentioned that the MVC was heavily involved in the Island Plan, the Housing Needs Assessment, and the Zoning Analysis. The Zoning Analysis identified areas of the town's bylaws that could be modified or added to promote the creation of affordable housing. A key particular that was found was that all six towns are lacking a purpose clause and clear definitions for affordable and community housing. She stated that the Joint Affordable Housing Group has been working on the proposed purpose clause and definitions for about six months.

State and Federal guidelines around publicly funded housing are very clear. For the housing to be eligible for state and federal funding, the housing must be affordable to a person whose income is 80% or below of Area Median Income (AMI). There must also be permanent restrictions in place, and the property must be allocated according to affirmative fair housing marketing guidelines.

Ms. Flynn explained that in 2004, state legislature allowed for Dukes and Nantucket Counties to place deed restrictions on properties up to 150% AMI. This allowance created what has been coined as "community housing," that targets incomes from 81%-150% of Area Median Income. Ms. Flynn also explained that income thresholds are updated every year by the Department of Housing and Urban Development (HUD).

The Board reviewed the definitions for Area Median Income, Affordable Housing and Community Housing.

Ms. Flynn explained that she came to this meeting to hear opinions and ask for support. She stated that she has already met with five of the six Affordable Housing Committees. Three Committees, including Edgartown, unanimously supported the definitions. The other two towns have requested more information and will be followed up with shortly.

Ms. Flynn reviewed the work program she created with the Board, which laid out the process for the definitions to go through to be approved. In September and October, the work program calls for joint

meetings with Affordable Housing Committees and the Planning Boards to foster discussion and endorse the effort.

It was noted that many active housing programs are not consistent with fair housing guidelines. Ms. Flynn stated that going forward, she would like to start to remedy that, and believed that mentioning the fair housing laws in the definition would be helpful. She stated that it is important that municipalities are in line with fair housing regulations.

Ms. Flynn stated that the Joint Affordable Housing Group has also been working on definitions for Workforce Housing and Elder/Senior housing. Both of these classifications would have affordable and community distinctions, depending on their cost.

Ms. Flynn stated that it is important to have the voters be more familiar with terms and definitions. She stated that this is the beginning of an ongoing process that will affect how the public supports the efforts, and where their focus is.

Mr. Wilson commented that houses on the lower end of the real estate market (\$300,000) are not represented statistically. Ms. Flynn clarified that these definitions pertain to publicly funded programs, not privately rented homes. The Clerk mentioned that there are not many homes in that price range on the market anymore.

Ms. Greenough stated that public hearings for proposed zoning bylaw amendments can start on October 18th. Technically, the hearings can start before that date, but they must be continued.

Ms. Flynn encouraged the Board to hold a joint meeting with the Affordable Housing Committee. Ms. Greenough also suggested that it would be productive to have the Board of Selectmen present as well. Ms. Flynn encouraged the Board to reach out to her, and stated that she was available to provide assistance and guidance when necessary.

5:44 PM: DRI Checklist – Review draft of proposed changes

In Attendance: Adam Turner

Mr. Turner approached the Board to review the changes made to the DRI Checklist. He stated that in general, the square footage thresholds were increased by 500 square feet, and percentage thresholds were increased from 10% to 20%. This will give the towns more authority since fewer projects will qualify for the thresholds to be referred.

The parking lot regulations were changed to be based on the number of spaces rather than square footage. Regulations regarding farm land were simplified. Mixed use development regulations were modified, and the number of allowable units was increased. Commercial demolition was removed from the checklist.

Mr. Turner also mentioned Edgartown's B-II Master Plan, and suggested that the Board get the plans certified by the MVC, which would also give more power to the town over the business district, and projects in the B-II district may not need to be referred to the MVC at all.

Mr. Turner concluded that five checklist items were completely removed from the checklist, thresholds were increased, and many items were clarified.

The DRI Checklist will be reviewed at the next MVC meeting on Thursday, August 4th, at the MVC Offices at 7:15 PM.

Mr. Wilson stated that the MVC has new members every year, and suggested that they be oriented to the DRI process. He stated that it was concerning to hear a new MVC member ask what a DRI was.

Mr. McCourt stated that the role of the MVC should be to serve as a resource to get answers and information. He stated that the town boards are eventually going to run into challenges that require assistance. Mr. Turner agreed, and stated that the MVC staff are the regional planners, and that the separation between the town boards and the MVC needs to be eliminated.

Mr. Turner mentioned the application of 2 Beach Street. He stated that the Edgartown Boards handled it much better than MVC could have. He stated that the Planning Board fostered communication, and made everyone relatively happy.

The Board was comfortable and happy with the changes to the DRI Checklist.

6:30 PM: HPP Status & Proposed Community Meetings

In Attendance: Adam Turner

Mr. Turner explained that the Housing Work Group, a division of the All Island Planning Board, hired a consultant to help build community support and to write the Housing Production Plans for each town.

Ms. Greenough stated that the consultant will be coming to meet with Janet Hathaway at 1:15 and Mr. Sparks at 1:45 on August 3rd. Mr. Turner encouraged the interviewees to be honest, and not be afraid to disagree.

Other Business:

Mr. Turner requested information about the Wavelengths application.

Mr. Wilson stated that Ms. Greenough was spoken to inappropriately by an MVC employee. Mr. Turner stated that he was aware of the situation, apologized, and stated that action has been taken against that employee.

Ms. Greenough explained that the cease and desist is active, but the applicants are still working. She stated that it was helpful to have the MVC support the cease and desist. Ms. Greenough also explained that the Board is waiting for a formal application and a written list of everything that has changed.

Mr. Cavallo stated that the downside to the cease and desist is that the project is stagnant.

Mr. McCourt stated that there has been a disconnect with the Building Inspector on how to proceed properly.

Mr. Sparks stated that the Board issued the applicants a permit, and that the Board should have a right to discuss that permit with the applicants.

Mr. Wilson mentioned that he had a personal conversation with Chuck Sullivan, and it was revealed that Mr. Sullivan was never paid for the work he had done. Mr. Wilson stated that Mr. Sullivan was willing to help the Planning Board in whatever way possible.

Mr. McCourt asked if there was currently an architect on the project. Ms. Greenough stated that the applicants have someone from the modular company.

Ms. Greenough requested the minutes from the MVC hearings, specifically pertaining to the prohibition of the porch on the side of the building.

Ms. Greenough stated that she spoke to Colin Young with the Building Inspector present. Mr. Young had said that Paul Foley told them to go to MVC before being referred by the Planning Board. Mr. Turner stated that the project will definitely not be reviewed by the Commission until the application has gone through the proper channels and has been referred by the Planning Board.

Mr. Turner and Ms. Flynn exited the meeting at 6:26 PM. The Board thanked them for their attendance.

Mr. Wilson expressed concerns about the architectural precedents for the side balconies. Mr. Sparks agreed, and stated that they were not approved.

Mr. McCourt asked how the plans could get so mixed up. Mr. Wilson suggested that the office obtain a rubber stamp that would allow for the Board members to sign the plans to assure that the correct plans are delivered to the Building Inspector. Ms. Greenough stated that she has already ordered a similar stamp.

Mr. McCourt asked about the normal procedure. Ms. Greenough explained that the Planning Board issues a decision once the application is approved, which specifically references the site plans and the architectural renderings. The assistant delivers the decision to the Building Inspector, while the applicant is responsible for submitting the plans to the Building Inspector for the building permit. Mr. McCourt suggested that the Planning Board submit the plans as well as the decision.

The Board discussed the exterior of the building. Mr. Wilson suggested that window boxes be installed to improve the appearance. He also mentioned that the neighbor has a white picket fence with plantings behind it, and suggested that the Board encourage the applicants to copy their neighbor.

Ms. Greenough mentioned that seven electrical boxes have been installed on the site, even though only five units were approved. Mr. Cavallo also mentioned the five compressors that need to be concealed.

The meeting was adjourned at 6:40 PM.

Respectfully Submitted,

Lucy Morrison

Alan O. Wilson, Chairman

Robert Cavallo

Fred Mascolo

Michael McCourt

Robert Sparks

Edgartown Planning Board
Date signed: _____