

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

Tuesday, April 25, 2023.

Remote Meeting *via* Zoom– 1pm

Trust Members: Brian Sullivan (Chair), Reema Sherry (Vice-Chair), Brooke Mohr, Meg Browsers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey

ATTENDING MEMBERS: Reema Sherry, Penny Dey, Meg Browsers, Brian Sullivan, Brooke Mohr, Shantaw Bloise-Murphy, Dave Iverson

STAFF IN ATTENDANCE: Tucker Holland (Housing Director)

PUBLIC IN ATTENDANCE: Shelley Lockwood

I. Call to Order

Brian Sullivan called the meeting to order at 1:02pm

II. Approval of Agenda – ACTION

Dave Iverson moved a MOTION to approve the agenda as amended to remove item IV. Reema Sherry seconded this motion.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Reema sherry | Aye |
| 2. Dave Iverson | Aye |
| 3. Meg Browsers | Aye |
| 4. Shantaw Bloise-Murphy | Aye |
| 5. Brooke Mohr | Aye |
| 6. Penny Dey | Aye |
| 7. Brian Sullivan | Aye |

III. Public Comment

There are no public comments currently.

IV. CCAP Applications - REVIEW & APPROVE

None to approve this week.

V. Article 18 & Annual Town Meeting – DISCUSSION

Tucker Holland said that it may be useful next week before the Special Town Meeting to review a presentation that was gone over with the finance committee regarding article 18 and finding where

money has been spent, and future uses to spend money.

Tucker listed projects where funds have been spent and projects where funds are intended to be spent in the future.

Brooke Mohr thanked Tucker Holland for putting in countless hours on this change and the need for additional funding through negotiating with developers and coordinating with the Select Board. Tucker Holland thanked the Trust and the community at large for voting for the funding for housing. He stated that we have made progress over the years towards reaching the 10% SHI requirements. Nantucket must have 490 housing units to meet the 10% requirement and we recently achieved 332 units on its SHI list totaling 6.78%. Nantucket is in a new period of safe Harbor until 12/11/2024 following recent DHCD certification of the Housing Production Plan. Going forward in regards Article 18 we intend to:

- Ensure achievement of 10% requirement and continuity of safe harbor
- Provide homeownership opportunities.
- Continue our successful closing cost assistance program.
- Housing funding options on ATM23 warrant

Article 10: including additional bonding authorization,

Article 18- \$6.5M

Article 33- CPC bond obligation payments for prior \$10M

Article 35- citizens article for stabilization fund for housing to be funded by two-thirds of STR revenue.

Penny Dey stated that although she is appreciative of what the Town is offering, it is going to require a proposition 21/1 override at the ballot and that is extremely risky.

Bria Sullivan agreed with Penny that it is in fact concerning that a majority votes at the town meeting and two-thirds at the ballot is going to be challenging. He states that some of their future fundings and projects are relying on it.

Penny Dey asked Tucker Holland if there is a backup plan in place in case of a different outcome than expected?

Tucker Holland stated that there are funding articles included in the warrant. The most significant one to be mentioned is article 10, where there is a \$1 million capital appropriation in conjunction with a \$4 million bonding authority. He also mentioned that this is not as robust as prior years, but it is material.

VI. Surfside Crossing – DISCUSSION

Tucker Holland said that for example the folk that attended the ZBA meeting, we heard a ZBA member commented that we are throwing out safety, sewer, and any other concerns in favor of housing. The project is back with the ZBA and the ZBA has the latitude to impose conditions

that are in line with those of the Housing Appeals Committee.

Brian Sullivan stated that he thinks that there is hope that this board can be part of a larger group to create restrictions for year around occupancy and residency. Twenty-five percent of the units already fall in the Affordable Housing category. If they are willing to take any more of the units into the covenant/ affordable restrictions, what role could this Trust take in managing those restrictions?

Brooke Mohr said that everything is on the table to achieve the joint goal of 75% of the units to be owned and or occupied by year-round residents at Surfside Crossing. There is an opportunity to create innovative programs within the community such as deed restrictions at the year around level. She also said that she thinks an opportunity for this community discussion around that is why this is on the agenda.

Penny Dey and Dave Iverson said that the board needs more knowledge on this matter but do not deny that they would like to participate in the forming of the Deed Restriction Committee. Joan Alison Stockman said that she had shown up to this meeting because when asked Erika Mooney about who had put together the joint statement, she was told it was Andrew Vorce, Brian Sullivan, and Tucker Holland with the input of the Select Board. She said that in her opinion, Brooke Mohr, being the representative for the select board, their crossovers. She asked if the Affordable Housing Trust were to oversee distributing funds and projects would it not be conflict of interest?

Brian Sullivan confirms that this board did take a vote to support the Select Board in this decision and it was unanimous.

Brooke Mohr said it was an executive session prior to the select board meeting. At the time the members present unanimously voted to approve these litigations.

Meghan Perry requested the minutes for the Select Board executive session. Also, she reiterates that there is nothing in writing regarding this good faith agreement. So, there is no guarantee that the developers are going to do any more than what is required by law.

The board confirms that that is a correct statement.

Meghan Perry also asked the board if they could disclose what is the definition of year around residency.

Brian Sullivan said that according to his understanding there are multiple definitions for the term year around resident. For example, Housing Nantucket and Covenant Housing occupancy of is 10 months and a day, but for the tax code it is 6 months and a day and there are a variety of definitions across the state. At this moment there is no specific definition which is another reason that he is hopeful to be able to help craft a restriction that meets a year around criteria that people are happy with.

The group explains that the definition of year around residency is defined by the deed

restrictions by each program that is funded by the Affordable Housing Trust.

Meghan Perry asked if there is any indication that the developers or individuals purchasing with deed restrictions would want to do that?

Tucker Holland said sure, there is an indication that the developers want 75% of the project serving year arounders, and the programs associated with ensuring that. He said that he thinks that there is a misconception that there are all kinds of leverage around the lawsuit being out there. The leverage that the community had was time, but the more time expires the more leverage decreases. Tucker says that he thinks that what changed is that the developers are out there publicly saying that they see the best version of this project serving year arounders to the 75% level. "We won't have a seat at the table if we are sitting in court with them." This is an opportunity to move in a way that could best serve the community.

D. Anne Atherton asked who negotiated with the developers on behalf of the town in the dropping of the lawsuit.

Brooke Mohr said this was not an agreement, it was a joint statement. Several people in the conversation bought a recommendation to the Select Board, and Tucker Holland delivered it to the Select Board.

D. Anne Atherton asked who spoke to the developers over the years.

The Affordable Housing Trust members confirmed that over the years many members of this trust have spoken to the developers.

D. Anne Atherton: There seems to be no references to short term rentals or the ability of the owner in the Surfside Crossing development to have any restrictions on short term rentals.

Brooke Mohr: As a Select Board member she deferred all conversations about short term rentals concerned to the short-term rental work group. Any inclusion of short-term rental restriction that comes outside of the work group seems to be premature.

VII. Proposal by Shelley Lockwood - REVIEW & DISCUSS

Shelley Lockwood stated that she is not part of any group nor any nonprofit. That this is solely an idea that may or may not gain legs.

Her idea is to take some of the products and initiative that are out there now, to help people with their first home. She said the goal is to create a new set of parameters and conditions taking those products and extending them to a new group of small business owners. The goals are to help small business owners provide stable, safe, and clean housing for year around and seasonal employees. The idea would be the business owners would buy this house through covenant so the houses can stay in rotation if not needed anymore in the future.

Tucker Holland said that typically, the Trust helps individuals in a variety of ways, this is different but worth investigating. Vicki Marsh can guide us on what is or is not possible in terms of trust

involvement in something like this.

Brooke Mohr said that when it comes to employer sponsored housing, we should consider the unique and sometimes unintended consequences, in terms of dynamic between employer and employee in a housing market like ours. Because frankly if an employee lives in employer housing and that relationship goes sideways the employee has nowhere to go.

Shelley closes her statement saying that she has taken all that into consideration, although she does not have bullet proof plan, she thinks this idea is worth the try.

VIII. Downpayment Assistance Program – DISCUSSION

Moved to next week's meeting.

IX. Other Business

Next Meeting: May 2, 2023, via Zoom

X. Board Comments

No board comments currently.

XI. Executive Session, Pursuant to MGL C. 30A § 21(A)

● Purpose 6: To consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body.

Penny Dey makes a **Motion** to adjourn the open session to move to executive session to consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body. Dave Iverson seconded this motion.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Reema sherry | Aye |
| 2. Dave Iverson | Aye |
| 3. Brooke Mohr | Aye |
| 4. Meg Browers | Aye |
| 5. Penny Dey | Aye |
| 6. Brian Sullivan | Aye |

XII. Adjourn

Meeting adjourned at 2:15pm