

AFFORDABLE HOUSING TRUST
MEETING
PACKET

TUESDAY

JANUARY 5, 2021

1pm

*via Zoom*¹

¹ *ZOOM MEETING INFORMATION* –

Link: <https://zoom.us/j/91696851655?pwd=STV3RHlNMjlkVnhQMdl3eFdnMEtTZz09>

Meeting ID: 916 9685 1655

Passcode: 392473



TOWN OF NANTUCKET

Pursuant to MGL Chapter 30A, § 18-25
All meeting **notices and agenda** must be filed and time stamped with the
Town Clerk's Office and posted at least 48 hours prior to the meeting
(excluding Saturdays, Sundays and Holidays)

RECEIVED

2020 DEC 29 PM 12:14
NANTUCKET TOWN CLERK
Posting Number:T 2368

Committee/Board/s	AFFORDABLE HOUSING TRUST
Day, Date, and Time	TUESDAY, JANUARY 5, 2021, 1:00PM
Location / Address	REMOTE PARTICIPATION VIA ZOOM (See Below) Pursuant to Governor Baker's March 12, 2020, Order Regarding Open Meeting Law (Attached). THE MEETING WILL BE AIRED AT A LATER TIME ON THE TOWN'S GOVERNMENT TV YOUTUBE CHANNEL AT https://www.youtube.com/channel/UC-sgxA1fdoxteLNzRAUHIxA
Signature of Chair or Authorized Person	ELEANOR W. ANTONIETTI LAND USE SPECIALIST
WARNING:	IF THERE IS NO QUORUM OF MEMBERS PRESENT, OR IF MEETING POSTING IS NOT IN COMPLIANCE WITH THE OML STATUTE, NO MEETING MAY BE HELD!

SPECIAL MEETING AGENDA FOR 01-05-2021

(Subject to change)

www.nantucket-ma.gov

JOIN ZOOM MEETING:

Link: <https://zoom.us/j/91696851655?pwd=STV3RHINMjlkVnhQMDI3eFdnMEtTZz09>

Meeting ID: 916 9685 1655

Passcode: 392473

Purpose: To discuss business as noted below. Electronic copies of the complete text, plans, application, or other material relative to each agenda item are available per request by email to ecantonietti@nantucket.ma.gov. Please email to request a paper copy and you will be given a time to retrieve from a Drop Box outside the Planning Office at 2 Fairgrounds Road between the hours of 8:30 AM and 4:30 PM. Access to the Planning Office is not permitted until Governor Baker's order is lifted to allow the office to be open to the public.

Trust Members: Brian Sullivan (Chairman), Brooke S. Mohr (Vice Chair), Penny Dey, Kristie Ferrantella, Reema Sherry, Allyson Mitchell, Dave Iverson

PLEASE LIST BELOW THE TOPICS THE CHAIR
REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING

I. CONVENE in Open Session *via* Zoom

II. APPROVAL of Agenda

Pages
8 - 11

III. APPROVAL of the Minutes

- December 15, 2020

IV. Housing Production Plan – UPDATE

- Webinar #1 – Tuesday, January 12th 4:00 – 6:00pm
- Webinar #2 – Tuesday, March 23rd 4:00 – 6:00pm

Pages
13 - 27

V. RFPs UPDATE & APPROVAL

Pages
29 - 35

VI. 7 Amelia Drive – PRELIMINARY DISCUSSION

- Potential Land Bank donation of building at 15 Commercial Wharf and moving cost

VII. Financial DISCUSSION

Pages
37- 53

VIII. ACK-Now – PRESENTATION & DISCUSSION

Page 55

IX. Land Bank Article – PRESENTATION & DISCUSSION

X. Other Business

- **Next Meeting**
 - Tuesday, January 19, 2021 at 1:00 pm

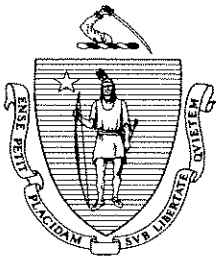
XI. PUBLIC COMMENT (for items not otherwise on the agenda)

XII. BOARD COMMENTS

XIII. 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.

XIV. Adjourn



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

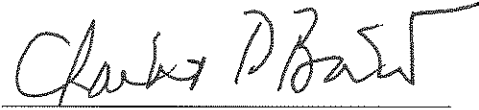
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a large, sweeping "C" and a distinct "B".

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

NAHT MEETING

1/5/2021

AGENDA ITEM III.

DRAFT MINUTES for Meeting on:

- *December 15, 2020*

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MINUTES ~~

Tuesday, December 15, 2020

Remote Meeting *via* Zoom – **1:00 pm**

Trust Members: Brian Sullivan (Chair), Brooke Mohr (Vice-Chair), Penny Dey, Kristie Ferrantella, Reema Sherry, Dave Iverson, Allyson Mitchell

ATTENDING MEMBERS: Brooke Mohr, Penny Dey, Reema Sherry, Dave Iverson, Allyson Mitchell

ABSENT: Brian Sullivan; Kristie Ferrantella

STAFF IN ATTENDANCE: Tucker Holland (Housing Specialist); Ken Beaugrand (Real Estate Specialist); Eleanor Antonietti (Land Use Specialist)

CONSULTANTS: Judi Barrett (Barrett Planning Group LLC); Jenn Goldson (J M Goldson LLC); Tyler Maren; Catherine Dennison; Barry Fradkin

Public Present on Zoom: Dave Armanetti; Howard Dickler; Jim Riley

I. Call Meeting to Order

Brooke Mohr called the meeting to order at 1:04 pm

Brooke Mohr announced that this Open Meeting of the Nantucket Affordable Housing Trust is being conducted remotely via Zoom, consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

II. Approval of Agenda

Reema Sherry moved to approve the agenda as amended by Brooke Mohr (Changing order and postponing Item V). Allyson Mitchell seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Dave Iverson Aye
4. Brooke Mohr Aye
5. Penny Dey Aye

Amended agenda adopted by **UNANIMOUS** consent.

III. Approval of the Minutes

- December 1, 2020

Dave Iverson moved to approve the Minutes for the meeting on December 1, 2020. Reema Sherry seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Dave Iverson Aye
4. Penny Dey Aye

5. Brooke Mohr Aye
Minutes adopted by unanimous consent.

ITEMS TAKEN OUT OF ORDER PER AMENDED AGENDA.

VI. Trust's Proposed New RFP UPDATE

Tucker Holland explains he is working to finalize some details with Town Counsel and Procurement. They plan to issue RFP on 1/6/2021. Planning for Trust to convene at 1pm on 1/5/2021 for final update and will hold normal meeting on 1/19.

VII. Communications – Sub-Committee REPORT

NO REPORT or UPDATE

IV. Housing Production Plan Work Session – Judi Barrett and Jenn Goldson

Judi Barrett We have a robust schedule for the survey, meetings, interviews. Survey questions are still in review. Critical to get dates locked in today.

Jenn Goldson screen shares Nantucket HPP Community Engagement Timeline. They have a draft survey that needs a few last minute revisions. She will share a preview link with Trust members who can take survey, but it won't record the answers. Asks Trust members to take it a number of different ways, because different answers will direct respondent to different questions in a form of looping. There was talk about getting it translated. Asks for clarification about which and how many languages. Goal is to launch survey before 1st Webinar on 1/12/2021. They will keep an eye on response rates. If another push is needed, they send out again. They will examine demographics to see if sample is representative (*i.e.* getting enough low-income households). What are ways to maximize outreach to targeted typically under-represented groups? They want to set up 5 Focus Groups with no more than 8 participants, because this is being done in a digital setting that is challenging to coordinate conversation and the discussion is more robust when there is a cap on number of people. People can contribute more in smaller groups. They typically run these at different times to cater to all groups. They need a list of up to 40 people for Focus Groups. She will create a shareable google sheet to be populated by Trust members. They are seeking a variety of perspectives (Open Space advocates, Town Officials. Preservationists ...). They will create a Sign-Up Genius to be sent out ideally before end of next week. Aim is to get invite out early next week to allow enough lead time and to avoid conflicts. Want to meet to update the Trust in February after closing Focus Groups. There is another Trust meeting in March and 2nd Webinar would be 3/23.

Judi Barrett If there is a necessity to add another Focus Group to accommodate more participants, given limitation to 7-8 people at a time, they can do so. She needs feedback on who Trust wants them to talk to and they will sort out logistics. Around 2/16 AHT meeting, they will have finished the factual research work and distilling information from Needs Assessment. They will have a slide deck to show. That will be scaffolding for the recommendations for the HPP. It's a combination of engagement and research work.

Penny Dey asks Judi if there are sectors that are under-represented here on Nantucket in prior

work here.

Judi Barrett a lot of time was spent talking with thought leaders and perhaps not enough with people who had urgent housing needs. Nagging concern that we are hearing opinions of actors but less so from those who have the experience of housing vulnerability.

Penny Dey we need to include leaders within the communities who get missed. Thinking Maria Partida and Renee Ceely and people who have been waiting for a long time to get housing.

Judi Barrett it can be hard to organize.

Tucker Holland asks Judi, gauging from her experience in other communities, how important is it to have all or some members of Select Board and groups such as the Planning Board.

Jenn Goldson typically communities will send a few representatives from local Boards that may already be engaged in those topics. It is helpful for them to be aware of any divisions that may exist on those Boards.

Brooke Mohr we could explore idea of having Portuguese and Spanish translators available to attend a Webinar. Need to make sure that our outreach is in those languages and assure people that there will be interpretive services available in the process.

Penny Dey what other languages?

Brooke Mohr from experience with Covid response with NCH, majority of Bulgarian immigrants are proficient in English. We can also record meetings to be put up with subtitles but simultaneous translation is preferable so people can ask questions. Asks if there are any limits to number of participants in Webinars.

Jenn Goldson has a Webinar subscription that allows 500 people. Points out that in some communities they have required registration and have not in others. There has been some question about what Open Meeting Law would require. The Webinar is different from the meeting. In Webinars, only the panelists have video and audio capacity. In the past, they have had registration turned on. Registrants do not have to have a Zoom account but do have to provide name and email address to obtain individualized Zoom link. Various communities she has worked with do not all agree on whether or not to require registration. The issue with not registering is you don't actually know who is on the Webinar as there is no name or email attached. Zoom Webinar is a more controlled platform and less vulnerable to Zoom bombing. She suggests we consult with Town Counsel.

Brooke Mohr compelling reasons to look into both options. One provides easy access versus control.

Reema Sherry asks if one versus the other resulted in higher participation.

Jenn Goldson Explains that they did not observe a direct correlation between two. The more decisive determinant appeared to be the level of community awareness and concern about housing.

Brooke Mohr we will work on that list for Focus Group to get to you as soon as possible.

Jenn Goldson we had talked about doing an Outreach Subcommittee last time. Brooke Mohr volunteered to do that. Good to start that effort as soon as possible.

Brooke Mohr we have a Communications Subcommittee.

DISCUSSION of whether or not we need to post for meetings of Subcommittee. Will examine and determine.

Brook Mohr looking forward to broadening community engagement. We are doing better in that regard, one of positive outcomes of Covid.

Howard Dickler Asks Tucker about status of Safe Harbor. He is worried about slippage.

Tucker Holland Our current period runs until June 2021. A few things in the works with regard to extending that, including 6 Fairgrounds. There are several irons in the fire. More detail will be forthcoming in January meetings.

Brooke Mohr this is a high priority for us and happening behind the scenes at the moment and will be public soon.

V. Financial DISCUSSION -*Tabled to next meeting*

VIII. Other Business

▪ **Next Meetings**

- Special January meeting: Tuesday, January 5, 2021 at 1:00pm
- Regular January meeting: Tuesday, January 19, 2021 at 1:00 pm

Tucker polls Board re. above meetings. Dates and times work for those present.

IX. PUBLIC COMMENT (for items not otherwise on the agenda)

X. BOARD COMMENTS

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.

Specific matter requires confidentiality.

The **MOTION** was made by Reema Sherry and seconded by Allyson Mitchell to **go into 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, and not return to open session.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Dave Iverson Aye
4. Penny Dey Aye
5. Brooke Mohr Aye

The motion carried unanimously.

VI. Adjourn

Open Session Meeting ended at 1:55pm

Submitted by:

Eleanor W. Antonietti

AHT SPECIAL MEETING

1/5/2021

AGENDA ITEM V

RFPs UPDATE & APPROVAL



AFFORDABLE HOUSING TRUST
REQUEST FOR PROPOSAL (RFP)
NEIGHBORHOOD FIRST – POCKET DEVELOPMENT
12/31/2020 DRAFT

IMPORTANT DATES

RFP Issuance: **Wednesday, January 13, 2021**
Proposal Submission Deadline: **Thursday, January 28, 2021 at 11:00 a.m.**

Note: respondents to the RFP who meet Minimum Threshold Criteria may be asked to present their proposal to the Review Committee

Property Selection: **Intended to be made by Wednesday, February 10, 2021**

All times in this document are local time in Nantucket, MA.

I. Request for Proposals

Consistent with the strategy recommended by the Neighborhood First Advisory Committee, the Town of Nantucket Affordable Housing Trust Fund (the “Trust”) is seeking proposals from a developer interested in submitting a proposal whereby a single project done under existing Town of Nantucket zoning by-laws would result in the addition of 24 units to the Town’s Subsidized Housing Inventory (“SHI”) as maintained by the Department of Housing and Community Development (“DHCD”) and which will timely contribute to the Town maintaining an uninterrupted period of Safe Harbor, as described under M.G.L. c. 40B. The vote of Article 37 of the 2019 Annual Town Meeting (“Neighborhood First”) authorized the Select Board to borrow up to \$20 million for these purposes.

II. Proposal Submission

The Trust has determined that the award of this contract is subject to M.G.L. c. 30B, known as the Uniform Procurement Act. Therefore, the provisions of M.G.L. c. 30B, §16 are incorporated herein by reference.

All proposals must be physically received by **11:00 a.m. on Thursday, January 28, 2021** and submitted to:

**Town of Nantucket
Attn: Chief Procurement Officer / Neighborhood First – Safe Harbor
Finance Department
37 Washington Street
Nantucket, MA 02554**

To be considered a complete proposal, all proposals must include the following:

1. Cover page labeled “Neighborhood First – Pocket Development”. The cover page should also identify the primary contact person and all contact information;
2. All required documents, completed and signed by a duly authorized signatory, including but not limited to Attachments B, C, D, and E;
3. One (1) copy clearly marked unbound and organized original in a format that is easily copied and two (2) bound copies; and
4. An electronic version of the complete proposal on a CD or flash drive.

Proposals that are incomplete or conditional will be rejected. Proposals received after this time will be considered non-responsive and either not accepted or returned to the proposer unopened.

A proposer may correct, modify or withdraw a proposal by written notice received prior to the time set for receipt of proposals (**11:00 a.m. on Wednesday, January 28, 2021**).

Proposals will be opened pursuant to the provisions of M.G.L. c. 30B, §16 at **1:00 p.m. on Thursday, January 28, 2021**. A proposer may not change any provision of the proposal after the receipt deadline (**11:00 a.m. on Thursday, January 28, 2021**).

The Trust reserves the right to reject any or all proposals or to cancel this RFP if in the Trust’s sole discretion it is determined to not be in the best interest of the Trust.

The Trust is under no obligation to act on any proposals brought to its attention under this RFP.

Any questions you may have, whether about the process or the program or any aspect, should be made via e-mail and directed to: procurement@nantucket-ma.gov no later than **1:00 p.m., Tuesday, January 26, 2021**. Inquiries should have a subject line entitled: *Neighborhood First – Safe Harbor RFP Inquiry*. Any inquiries after such date will not be accepted. All inquiries and responses will be shared with all Registered Proposers via email.

In order to receive answers to all inquiries and any RFP amendments, interested parties must be registered as a Registered Proposer with the Town. To register as a potential respondent, please send an e-mail to procurement@nantucket-ma.gov with your name, organization, contact e-mail and indicate in the subject line: *Registered Proposer – Neighborhood First RFP*. As inquiries are made, answers will be provided as expeditiously as possible to all Registered Proposers at the time.

The Town and Trust make no representations or warranties, express or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements, is made subject to errors, omissions, and changes to, additional, or different interpretations of laws and regulations.

Proposers' Responsibility for Due Diligence and Representations: Proposers should undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, and other development and legal considerations. The Proposer by making a proposal represents that the proposer has read and understands the RFP documents and that the proposal is submitted in accordance therewith.

III. Objectives

The Trust is seeking proposals from a developer whereby the proposed project would result in the addition of 24 units to the Town's Subsidized Housing Inventory ("SHI") as maintained by the Department of Housing and Community Development ("DHCD") and which will timely contribute to the Town maintaining an uninterrupted period of Safe Harbor, as described under M.G.L. c. 40B.

Under Chapter 40B, in order to have a property qualify for the SHI, at least twenty-five (25%) percent of the units on a given property must be rented to income eligible households earning eighty (80%) percent or less of the area median income (AMI) for Nantucket County and meet all DHCD requirements for all of the rental units to be eligible for inclusion on the SHI.

The Trust is particularly interested in proposals 1) which conform to current zoning by-laws, 2) where no current year-round residents will be displaced, 3) where affordability is restricted at levels not presently widely available or planned to be substantially more available within the next three years, 4) where all units will be occupied exclusively by year-round residents, 5) where 50% or more of the total number of units are proposed to have permanent income restrictions at multiple income levels, 6) where all units will be completed and ready for occupancy within 24 months or sooner, and 7) where net investment on the part of the Trust is under \$50,000 per unit.

IV. Proposal Submission Requirements

1. The Developer and Development Team

The proposal must include a description of the proposed developer, including the project manager, and his/her experience. Proposals must include:

- The name, mailing address, e-mail address, and telephone number of the proposer, the name of the representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
- If the proposer is not an individual doing business under his/her own name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution) and a description of the proposed ownership entity (e.g., a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization's Board of Directors and areas of expertise they represent.
- The nature of the entity to enter into the arrangement and the borrower and guarantors of debt, if any.

- Identification of all principals, partners, co-ventures or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.
- Discussion of whether the developer will also be the property manager and if the developer will not be the property manager, the name of the proposed property management organization.
- Identification of the development team, such as architects, engineers, lawyers, landscape designers, contractor, development consultants, lenders and investors. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, shall be provided.
- A summary of first, the developer's and secondly, the development team's experience individually and collectively, with similar projects. Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of site conditions, design and financing, as well as locations similar to Nantucket. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, conventional and subsidy financing, construction, marketing/unit absorption and ongoing property management.

The following order should be used when submitting the information for each project identified:

- Project name and location
- Project type and description
- Project scope
- Project(ed) start date
- Project(ed) completion date
- Total development costs
- Sources of financing
- Total number of units and bedroom sizes
- Narrative on why your experience is relevant.
- Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
- Information regarding any legal or administrative actions past (during the last 10 years), pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.
- Confirmation that no local, state or federal taxes are due and outstanding for the development team, the property management team or any critical member of the project.
- Provision of municipal references for at least three (3) completed projects, with contact names, title and current telephone numbers of those who can provide information to the Town concerning the Proposer's experience with similar projects.
- Proposed project financing, including a Sources and Uses pro forma providing information similar to that required in the Massachusetts One Stop application, which shall include (a) a proposed pre-development budget, including all projected sources to be used to secure the necessary permits and approvals for the construction and operation of the development; (b) a construction and development budget which includes detailed sources of funds and uses;

and (c) 20 year operating pro forma and rent schedule. Describe in detail previous success in securing such funding and what, if any local, state or federal subsidy money will be sought to create affordability and the timeline for securing those sources.

- At least one (1) letter of interest from a recognized financial institution for a loan amount sufficient for the developer to construct and operate the project.
- Completion of disclosures and certificates in Attachments E – “Certificate of Non- Collusion”, D – “Tax Compliance Certificate”, and E – “Disclosure of Beneficial Interest”.

2. Development Concept

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design as detailed in the Conceptual Design Drawings below.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ “green” elements of the building and site designs.
- Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors, in particular noise and traffic during the construction period.
- Detailed development schedule for all elements of the plan including key milestones, financing and timeframes for occupancy, including DHCD approval process.
- Outline of required land use, environmental, operational and other governmental or regulatory approvals for the necessary permits and noting any permits or waivers that will be required.

3. Conceptual Design Drawings

The proposal must include 11 x 17 plans including:

- Site plan that includes building footprints, parking layout, storm drainage, recreation / play areas, grilling / picnicking area, access to pedestrian ways and numbers of parking spaces and building footprints
- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas and providing outdoor space for residents to utilize for recreation
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Dry storage for all units (minimum requirement of 8’ X 10’ per unit)

4. Management Plan

The proposal must include:

- Description of the proposed rents and the strategy for marketing and lottery processes that will be consistent with DHCD's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines.
- The proposal must include a plan for the ongoing management of the project. In addition, if the proposer is including a property manager as part of its team, all relevant information as outlined under 'Developer' above should be included as well as details of any projects where the proposer and manager have previously worked together.
- Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all of the affordable units. Proposals may include a lottery agent as part of the development team. An approved affirmative fair housing marketing/lottery plan shall be required that is consistent with DHCD's Affirmative Fair Housing Marketing and Resident Selection Plan Guidelines. For the proposal, the proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected proposer and/or their agent shall demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these.
- A clear understanding of the applicable state standards used to determine program and unit eligibility – i.e. qualified tenants.
- The ability to establish criteria for tenant selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

V. Minimum Threshold Criteria

Proposals that do not clearly and fully comply with these Minimum Threshold Criteria and are not submitted in complete form by **11:00am on Thursday, January 28, 2021** will not be considered:

1. Conformance with all submission requirements
2. A minimum of 5 years' affordable housing development experience for principal members of the development team
3. A minimum of 5 years' experience of property management by the property manager
4. A demonstrated successful track record of developing and managing projects of similar scope
5. Developer availability to commence the permitting and application processes for the project within 60 days of selection; sufficient staff resources and availability to perform required services
6. Submission of required forms in Attachments B – E.
7. The proposed development must provide a proposed affordability mix that will allow all units to be eligible for inclusion in the Town's Subsidized Housing Inventory based upon DHCD's

requirements; and a minimum of 25% of the units as affordable at or below 80% of the AMI; the project can be done in a timely manner such as to contribute to the next period of Safe Harbor.

VI. Evaluation Criteria

Projects meeting the Minimum Threshold Criteria will then be judged on the Comparative Evaluation Criteria (see Attachment A). The Trust will use the comparative criteria for each subject and which will be rated on a scale of Not Advantageous, Advantageous or Highly Advantageous for each listed subject as set forth on the Comparative Evaluation Criteria.

VII. Selection Process and Rules for Award

All proposals submitted by the deadline will be opened pursuant to M.G.L. c. 30B, §6(d) and recorded. All information contained in the proposals is public. The Trust or its designee(s) (i.e. an evaluation committee) will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined in the “Comparative Evaluation Criteria.” Evaluation of the proposals will be based on the information provided in the proposer’s submission in accordance with the submission requirements of this RFP and any references, and additional information requested and/or gathered by the Trust.

The Trust reserves the right to select the proposal that best meets the needs of the community and that may not necessarily be the proposal that achieves the highest score. The Trust reserves the right to not act on any proposal if it determines in its sole discretion that it is in the best interest of the Trust not to acquire any property.

The Trust will notify all Registered Proposers in writing of its decision.

VIII. Process following Award

For those proposals selected by the Trust, following a vote by the Select Board authorizing moving forward, the Trust’s obligation to move forward with a particular proposal shall be subject to negotiating all relevant agreements to the sole satisfaction of the Trust and its advisors including but not limited to the Finance Director / Chief Procurement Officer, Bond Counsel, Town Counsel and the Select Board.

Attachments

- A. Comparable Evaluation Criteria
- B. Acknowledgement of Receipt of Documents
- C. Tax Compliance Certification
- D. Non-Collusion Document
- E. Disclosure of Beneficial Interest

**ATTACHMENT A: COMPARATIVE EVALUATION CRITERIA
NEIGHBORHOOD FIRST – SAFE HARBOR**

	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
Proximity to SHI -listed Units (Actual and Planned)			
<i>One of the intents of the Neighborhood First program is to spread affordable / workforce / year-round housing across the Island</i>	Property is located within 0.50 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater	Property is located between 0.51 and 1.0 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater	Property is located more than 1.01 miles of existing or currently planned SHI-eligible units in developments of 5 units or greater
Property is Improved or Disturbed			
<i>One of the intents of the Neighborhood First program is to utilize improved / disturbed properties</i>	Property is undisturbed, forested land	Property is the process of being developed or previously has been developed	Property has one or more existing housing units
Condition of Existing Housing Units	Property in fair or poor condition in the Trust's sole discretion	Property in good condition in the Trust's sole discretion	Property in excellent condition in the Trust's sole discretion
Proposed Number of Units Under Existing Zoning	Less than 24 units	More than 28 units	24 - 28 units
Value (Net Investment by Trust)	More than \$100,000 per unit	Between \$50,001 and \$99,999 per unit	\$50,000 or less per unit

Structure	Local subsidy required structured entirely as a grant	Local subsidy required structured as partial grant and equity position	Local subsidy required structured as a secured loan and partial grant
Proximity to Employment and Goods & Services	Property is located more than 1.01 miles from a commercial place of employment	Property is located between 0.51 and 1.0 miles of a commercial place of employment	Property is located within 0.50 miles of a commercial place of employment
Proximity to Public Transportation	Property is located more than 1.01 miles from a designated public transportation	Property is located between 0.51 and 1.0 miles of a designated public transportation stop	Property is located within 0.50 miles of a designated public transportation
Proximity to Schools	Property is located more than 1.01 miles from public schools	Property is located between 0.51 and 1.0 miles of public schools	Property is located within 0.50 miles of public schools
Availability of Town Sewer & Water at Site	No availability of Town Sewer and Water	Either Town Sewer or Water is available	Both Town Sewer and Water are available
Energy Efficiency of Existing Dwellings	TBD	TBD	TBD
Local Zoning	Property needs to be developed as a 40B	Property requires zoning by-law change	Property can be developed under existing local zoning

Year-rounders	Project will displace year-round residents and include seasonal rentals	Project will displace year-round residents or include seasonal rentals	Project will exclusively serve year-rounders
Percentage of units income-restricted in perpetuity	25% or less will be income restricted in perpetuity	26-49% of units will be income restricted in perpetuity	50% or greater of units will be income restricted in perpetuity
Tiers of Affordability	Only one level of affordability proposed at 80% AMI	Two levels of affordability proposed, but one level at 80% AMI	Two or more levels of affordability proposed at both below and above 80% AMI
Readiness for Occupancy	All units ready for occupancy in over 24 months	All units ready for occupancy in 18-24 months	All units ready for occupancy in under 18 months
Safe Harbor	Project does not constitute one year of Safe Harbor (24 units)	Project constitutes 24 units, yet cannot contribute to Housing Production Plan certification by 5/31/2021	Project constitutes 24 units, and can contribute to Housing Production Plan certification by 5/31/2021

Coastal Resiliency Suitability	Within FEMA flood plain up to and including the 0.2% change flood zone. Broadly corresponds to less than 14-foot topography line	Above the current FEMA flood zone. However, it is within 10 feet approximately of the flood zone. This is a potential area of concern as sea level rise could bring these areas into flood zones by 2100. NOAA sea level rise scenarios for Nantucket could bring 9.25 feet of sea level rise under the high scenario over the sea level in 2000 by 2100. Broadly corresponds to 15-foot to 24-foot topography line.	Above all potential coastal flood zones to 2100. Broadly corresponds to being above the 25-foot topography line.
---------------------------------------	--	--	--

ATTACHMENT B: DOCUMENT ACKNOWLEDGMENT

**TOWN OF NANTUCKET AFFORDABLE HOUSING TRUST FUND
DOCUMENT ACKNOWLEDGMENT FORM
NEIGHBORHOOD FIRST – POCKET DEVELOPMENT RFP**

**I ACKNOWLEDGE RECEIPT OF THIS REQUEST FOR PROPOSALS AND ALL ADDENDA AND
UNDERSTAND I MUST ENCLOSE THIS SIGNED ACKNOWLEDGMENT AS PART OF MY PROPOSAL. I
ACCEPT AND AGREE TO ALL TERMS OF THE RFP.**

Printed name

Property Address

Signed

Date

ATTACHMENT C: TAX COMPLIANCE CERTIFICATION

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. 62C, §49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Federal Tax ID Number

Printed name

Signature

Date

ATTACHMENT D: CERTIFICATE OF NON-COLLUSION

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of person signing bid or proposal

Printed name

Date

ATTACHMENT E: DISCLOSURE OF BENEFICIAL INTEREST

[TO COME FROM TOWN COUNSEL / PROCUREMENT]

AHT SPECIAL MEETING

1/5/2021

AGENDA ITEM VI

7 AMELIA DRIVE – PRELIMINARY DISCUSSION

- **POTENTIAL LAND BANK DONATION OF
BUILDING AT 15 COMMERCIAL WHARF
AND MOVING COST**



NORTH ELEVATION



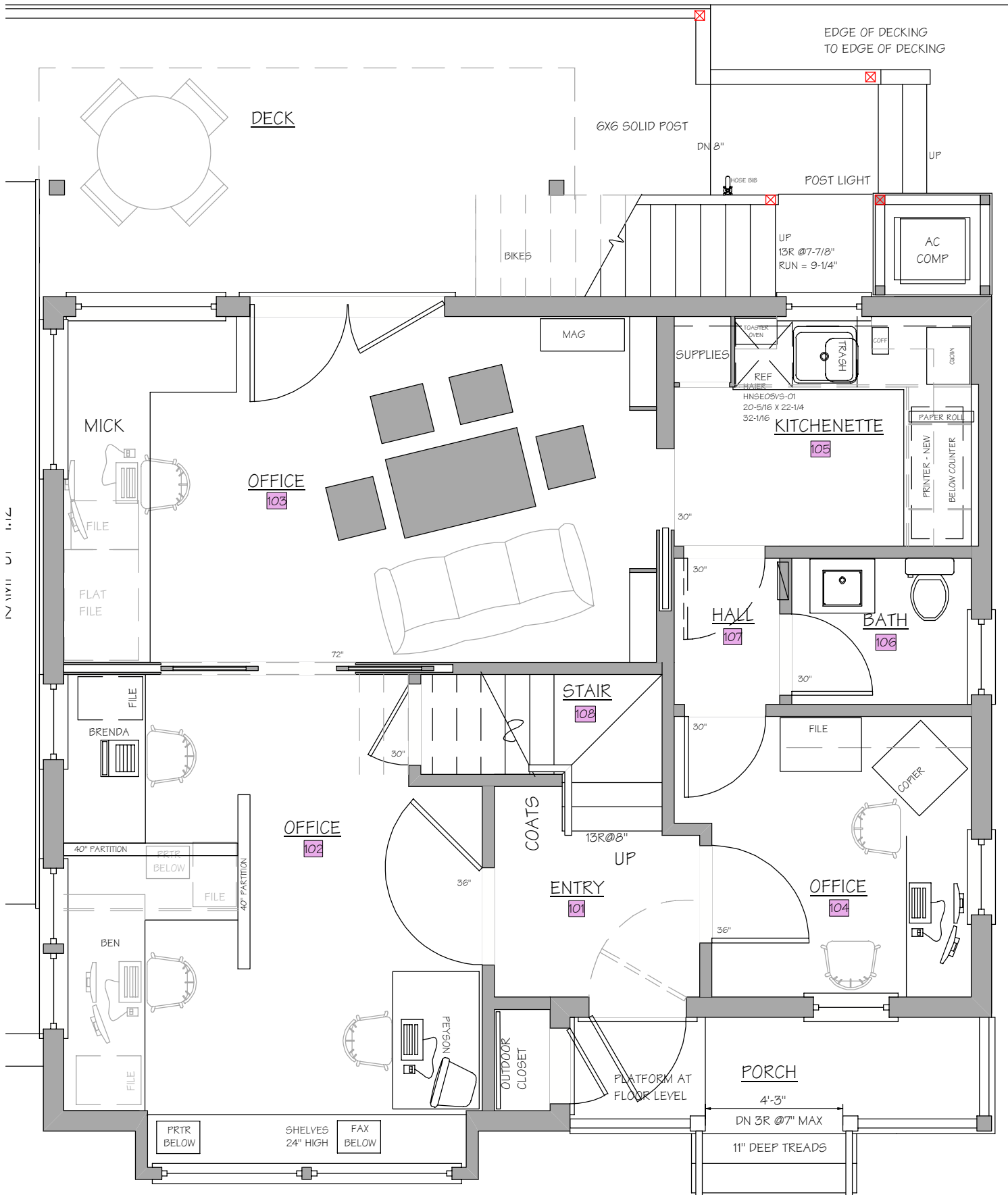
WEST ELEVATION

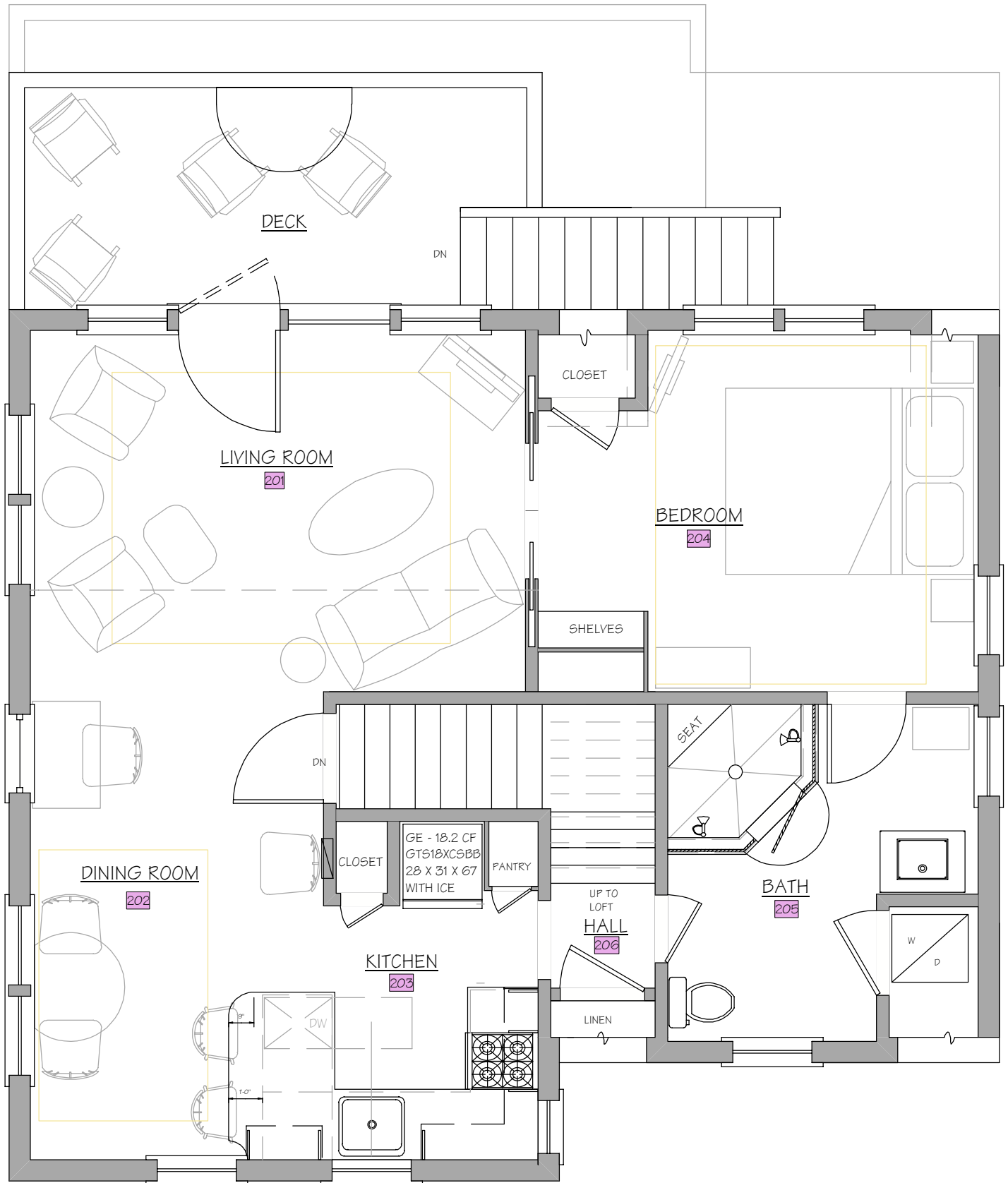


SOUTH ELEVATION

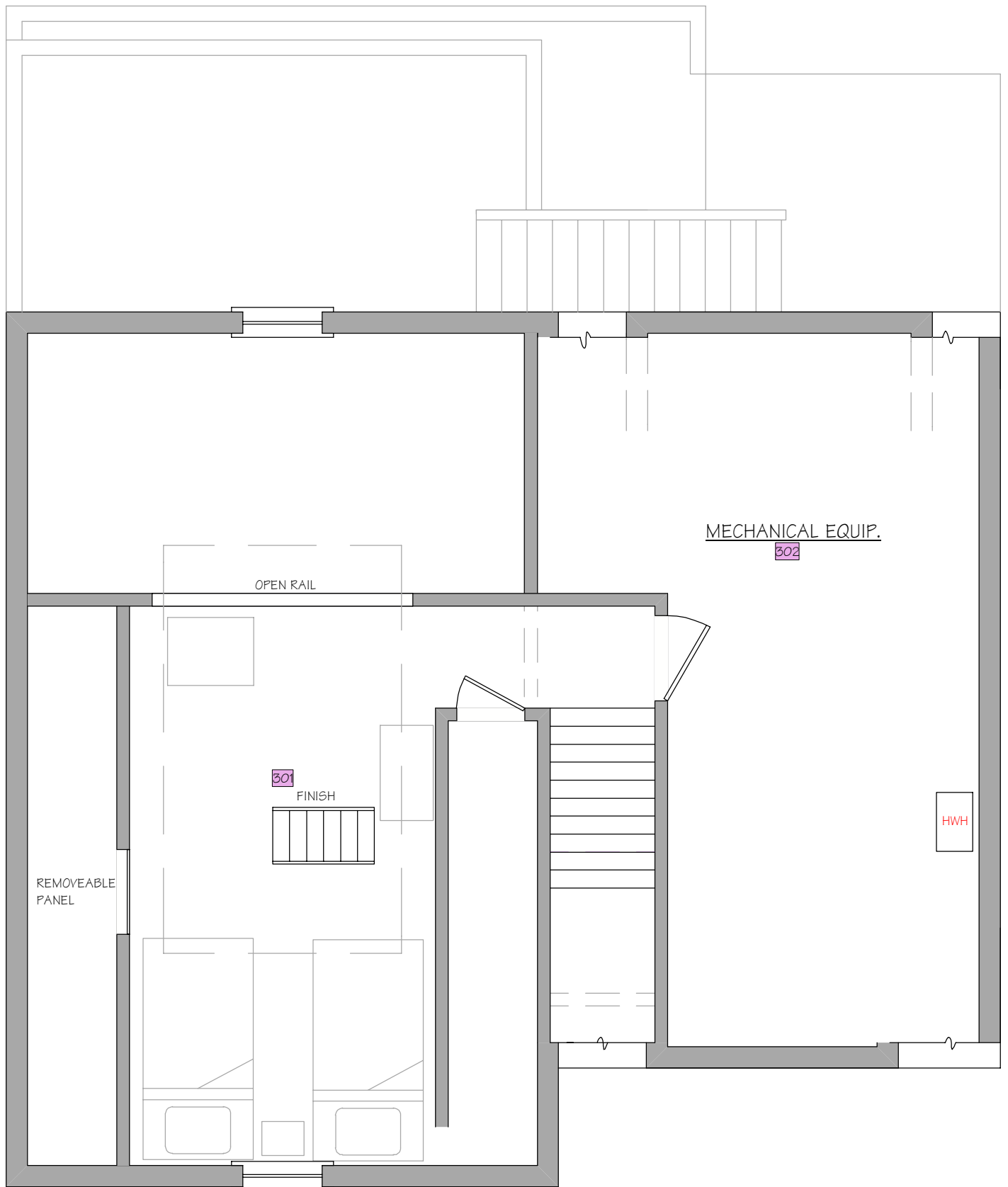


EAST ELEVATION

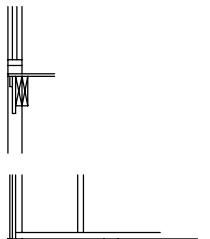


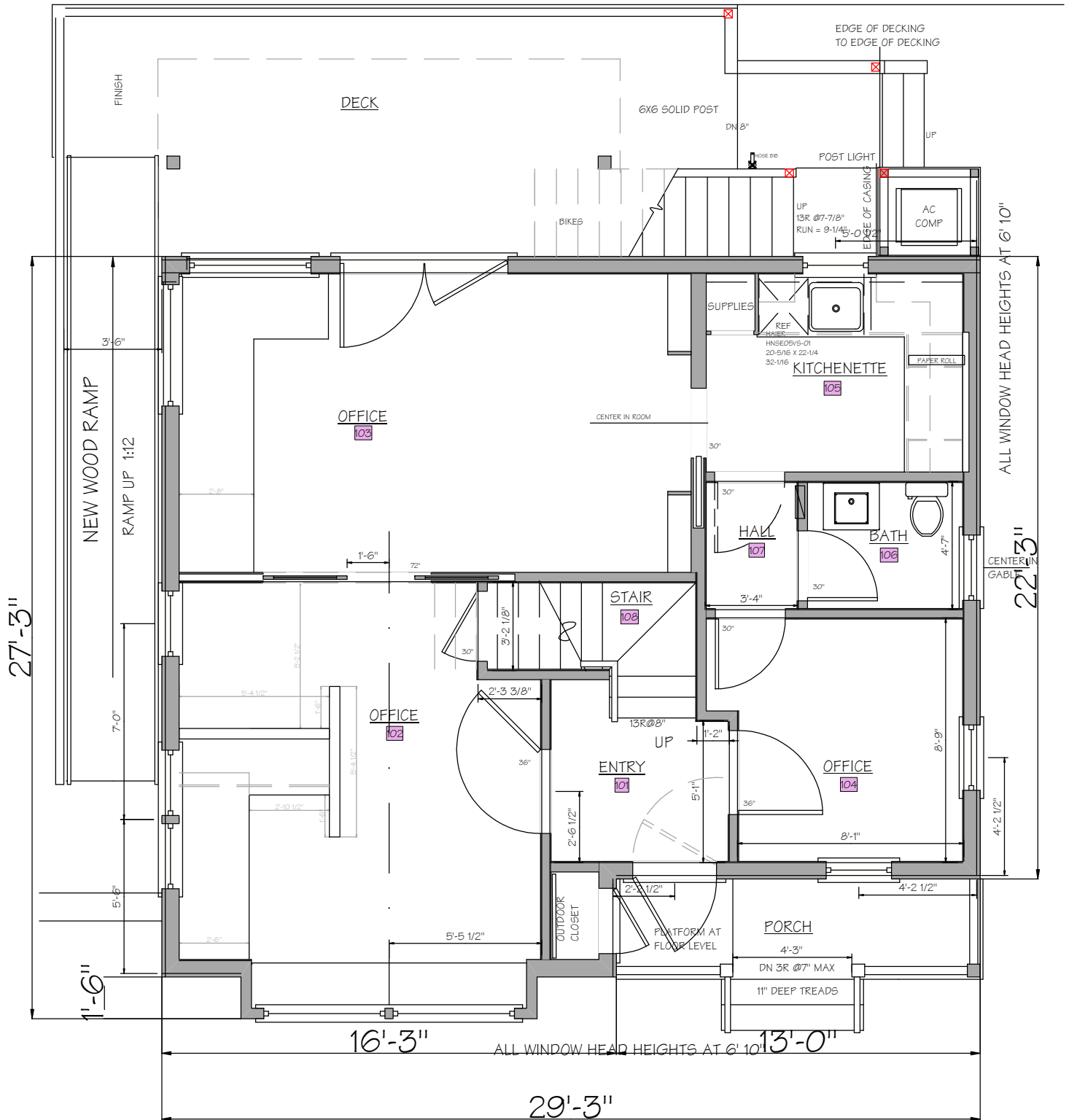


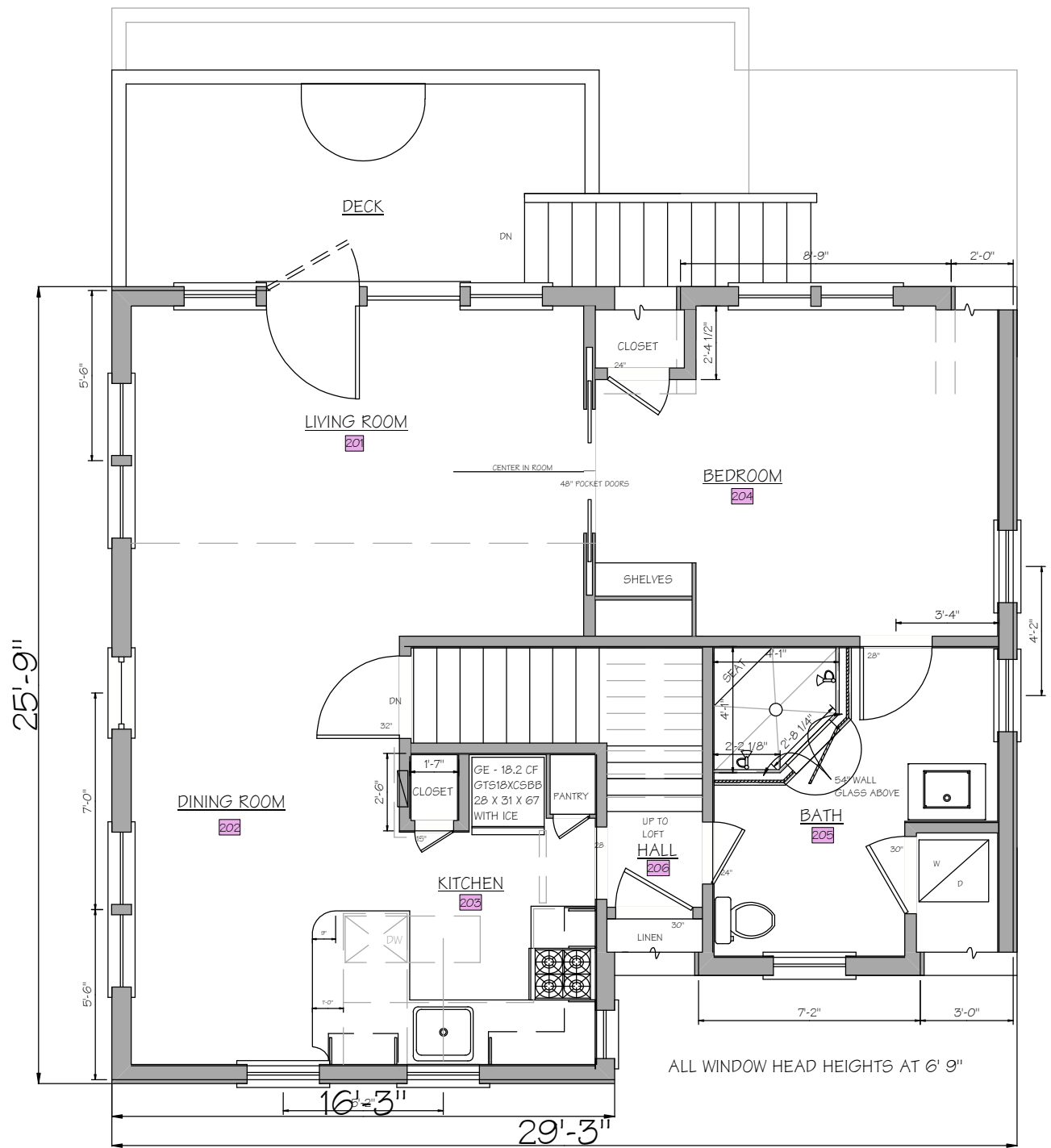
SECOND FLOOR PLAN



LOFT FLOOR PLAN







AHT SPECIAL MEETING

1/5/2021

AGENDA ITEM VIII

ACK-NOW – *PRESENTATION & DISCUSSION*

Nantucket's Housing Crisis: The hidden impacts of investor-owned short-term rentals

Winter 2020



About ACK•Now

Mission

We exist to inspire the change needed to protect what the community loves about Nantucket.

Board of Directors

Tobias Glidden – Executive Chair
Peter McCausland – Founder
Kelly Steffen – Secretary
Linda Holland – Treasurer

Staff Team

Julia Lindner – Executive Director
Susan Coffin – Director of Development
Anna Day – Community Outreach

ACK•Now Vision

We believe Nantucket can overcome the rapid changes from the last 30 years

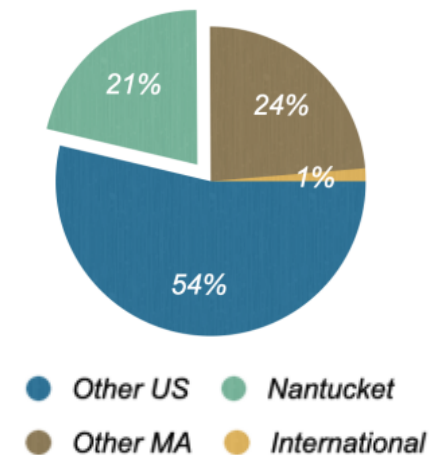
- By advocating for a shared community vision for Nantucket
- Managing stable growth, considerate of community, environment and infrastructure
- Developing compelling, innovative solutions for the lack of accessible housing that is affordable and stable for the community
- Offering a basket of transportation ideas that, when taken together, work to understand how much traffic our roads can reasonably hold and what can be done to relieve the congestion caused by too many vehicles competing for limited space on the roads
- Supporting forward-thinking government and civic leadership

First white paper: short-term rentals

Nantucket now has over 2,200 registered with the State

- 20% of housing stock
- 80% owners are off-island individuals and businesses
- 370 short-term rentals where owner has multiple STRs on island
- Growing presence of investors, companies and clubs means lion's share of profits are going off-island

**Short-Term Rentals
Ownership Breakdown¹**



INSPIRATO

EXCLUSIVE RESORTS

¹State of MA Registry, July 2020.



What's the problem?

Year-round homes are being converted into short-term rentals

- Nantucket lost 500 year-round homes in 8 years
- Meanwhile, the island added 1,100 summer houses + short-term rentals

Housing Inventory by Tenure

	2010 Decennial	2016 ACS	2017 ACS	2018 ACS	Change 2010-18
Total Housing Units	11,618	11,844	12,030	12,191	573
Year-Round	4,229	3,836	3,761	3,722	(507)
<i>% of total units</i>	36%	32%	31%	31%	-6%
Owners	2,475	2,451	2,438	2,576	101
Renters	1,754	1,385	1,323	1,146	(608)
Seasonal & Investor STRs	7,389	8,008	8,269	8,469	1,080

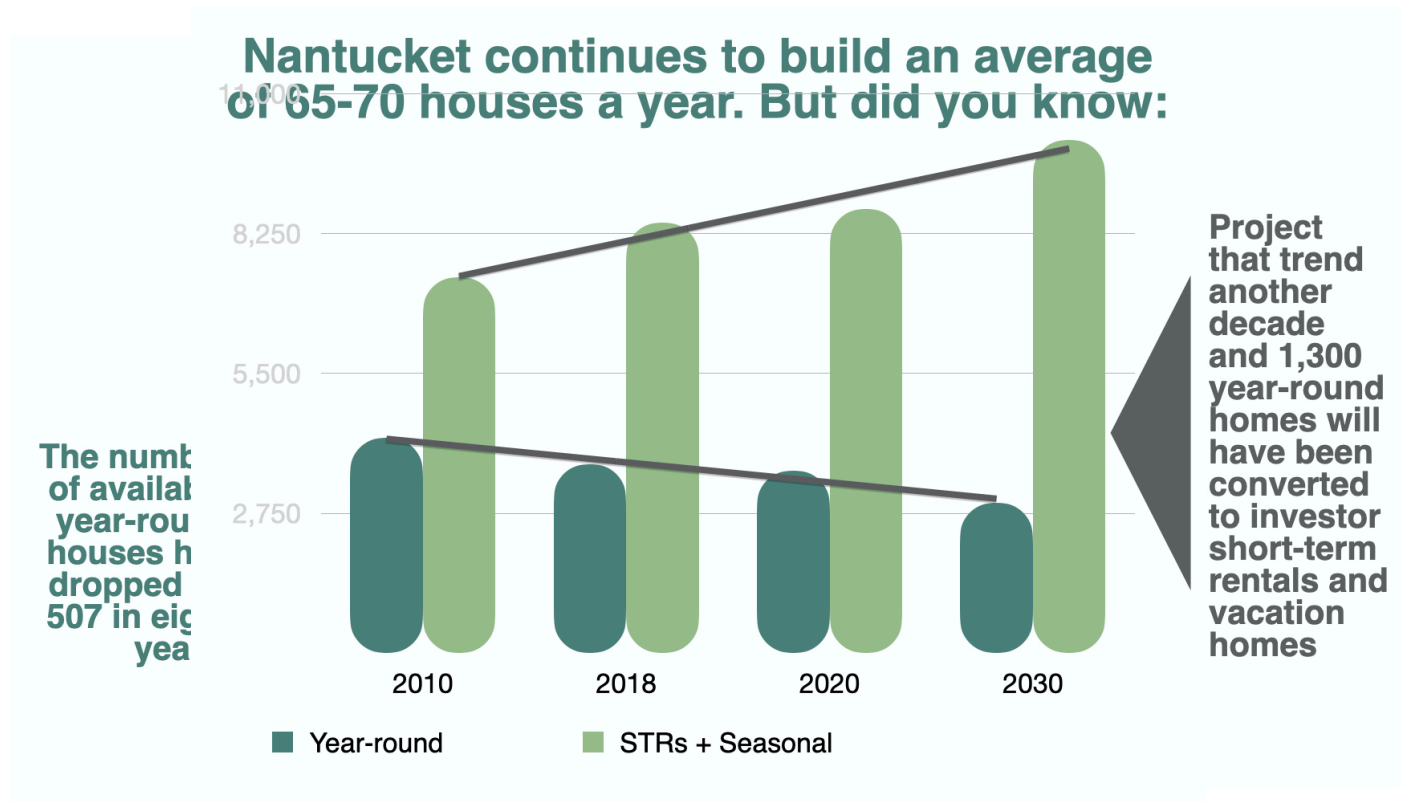
Source: CHAS data, Housing Tenure by Inventory, US Census and ACS 2010-2018.

5



What's the problem?

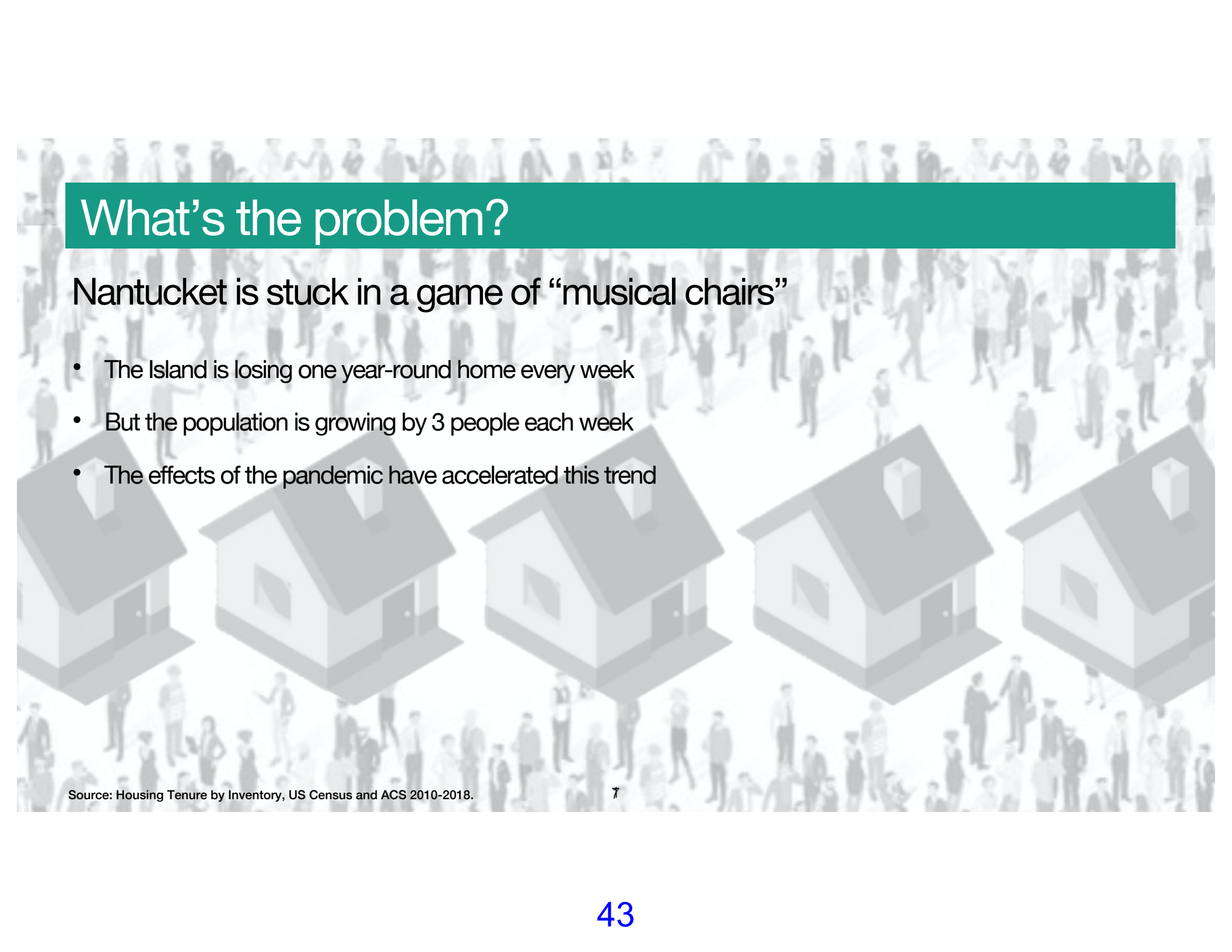
Year-round homes are being converted into short-term rentals



Source: Housing Tenure by Inventory, US Census and ACS 2010-2018.

6



The background of the slide features a dense crowd of stylized, grey-toned human figures in various poses, suggesting a large population. In the lower half of the image, there are five stylized, grey-toned houses with gabled roofs and chimneys, arranged in a slightly curved line. The overall aesthetic is that of a vector illustration.

What's the problem?

Nantucket is stuck in a game of “musical chairs”

- The Island is losing one year-round home every week
- But the population is growing by 3 people each week
- The effects of the pandemic have accelerated this trend

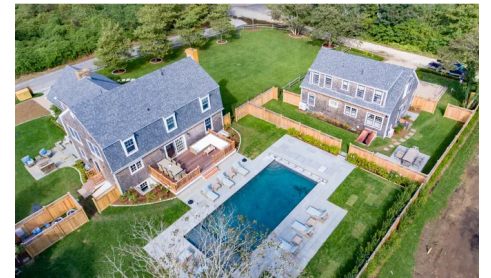
Source: Housing Tenure by Inventory, US Census and ACS 2010-2018.

7

What's the connection with short-term rentals?

Investors are converting year-round homes and rentals into STRs

- Year-round housing is only 30% of stock – down 6% from 2010 to 2018
- Despite adding Sachem's Path, Beach Plum Village and covenant homes
- Neighborhoods are turning into short-term rental clusters (Cato Lane, Miacomet, Lover's Lane)
- Developments with affordable lots in year-round areas are designed as mini-resorts (Finback Lane, Grey Lady Lane)
- Even mixed-income 40B projects are affected (Beach Plum Village has more STRs than affordable homes)



Examples of year-round neighborhoods where short-term rentals are moving in: Miacomet, Mid-island (shown), Airport.

Nantucket is turning into an island-wide luxury resort

Neighborhood case study: Miacomet

Midway through transition from year-round to seasonal + investor STRs

Before
(year-round home)



After
(short-term rental)



Most Recent Sale Price (YR)	\$1.7M (2018)	\$1.65M (2019)	\$1.2M (2006)
Previous Sale Price (YR)	\$615K (2015)	\$865K (2014)	Prior to 1983...
Purchased by Off-Island Owner	✓	✓	✓
Short-Term Rental	✓	✓	✓

Sources: Town of Nantucket GIS, Mass DOR short-term rental registry, Airbnb and other rental listing platforms.

Neighborhood case study: Tom Nevers West

Beginning the transition from year-round to seasonal + investor STRs

Before
(year-round home)



After
(short-term rental)



Most Recent Sale Price (YR)	\$2.25M (2017)	\$1.5M (2009)	\$2.3M (2020)
Previous Sale Price (YR)	\$1.4M (2014) / \$192K land (1992)	\$118K land (1996)	\$1.4M (2019) / \$125K land (1985)
Purchased by Off-Island Owner	✓	✓	✓
Short-Term Rental	✓	✓	✓

Sources: Town of Nantucket GIS, Mass DOR short-term rental registry, Airbnb and other rental listing platforms.

10

Is this good for the Island?

The costs to local businesses and residents are high

- Business owners are forced to provide housing or subsidize rent to attract and retain staff
- Taxpayers must subsidize affordable housing, infrastructure, landfill, impacts to environment
- Residents pay through the roof for homes and rent – many live in cramped conditions
- The demand for more services for these high-turnover mini-hotels is adding pressure on housing, infrastructure, traffic and the environment
- The bulk of rental income is going off-island

Impacts beyond housing...

Investors driving development + neighborhood disruption

- Unregulated businesses operating in residentially zoned districts
- Taking business away from inns & BnBs who pay thousands each year in landfill fees, fire inspections, and commercial real estate taxes
- The quality of life in many neighborhoods is severely affected
- Intensive use stresses local infrastructure and environment

What's the objective?

A more sustainable community going forward

- Protect the ability for year-round residents to short-term rent their home
- Give year-round residents an edge when buying a home
- Offer neighborhoods protections against the bad actors
- This isn't turning the faucet off – it's intended to have an impact over time

Learning from other communities

Nantucket has the power to regulate + legalize short-term rentals

- Early adopters: cities + resort destinations in HI, CA, AZ, CO, FL
- New England is catching up – NYC and the Hamptons
- Jan'19: Baker Administration signs legislation and offers municipalities a tool box
- Bylaws in MA focus on lessening impact on housing and neighborhoods (Lenox, Brookline, Salem, Boston, Lynnfield, and more)

Examples from other resort destinations

While cities focus on protecting housing, resorts customize approaches

- Cape Elizabeth, ME – STRs in primary residences only
- Sanibel & Captiva, FL – One month minimum stay unless in tourist district
- Virginia Beach, VA – Strict occupancy + no investor STRs
- Tahoe, CA – STRs banned in residential areas
- Kauai, HI – Grandfathered STRs in residential areas and banned new ones
- Maui, HI – Cap on STRs, house cannot be STR until 5 years after construction

What are the tools available to Nantucket?

Since 2019, Mass communities have a framework for local regulations

- Bans or caps
- Limits on duration or frequency
- Occupancy requirements
- Taxing schemes (i.e. Lodging Tax and Community Impact Fee)
- Insurance requirements and permitting fees
- Recordkeeping requirements

Proposed bylaw for Nantucket

Vacation rentals by homeowners + protect housing & neighborhoods

- Short-term rentals = any stay under 30 days (no permit for 30 days and over stays)
- Two different permits – is it a Nantucket resident's home?
- Nantucket resident's home*: up to 90 days in short-term rentals per year (almost 13 weeks)
- Non-resident home: up to 45 days in short-term rentals per year (over 6 weeks)
- One-week minimum stay
- Occupancy limit based on 2 people per bedroom (or Title V)

** Residents can short-term rent entire home, part of the home or an accessory unit like a garage apartment or cottage.*

AHT SPECIAL MEETING

1/5/2021

AGENDA ITEM IX

LAND BANK ARTICLE – *PRESENTATION & DISCUSSION*

Proposed Article to Reallocate A Minor Portion of the Land Bank Real Estate Transfer Fee to Support Year-Round Housing

Preamble:

Nantucket has long been experiencing an acute crisis of affordable and workforce housing that came further into focus during the pandemic. The shortage of stable, suitable housing that is affordable to year-rounders at a variety of income levels carries significant public health consequences with wide-ranging ripple effects. While the pandemic will end, the severe year-round housing shortage on Nantucket will not without further action.

Tremendous work has been done by conservation organizations over the past half century. As a result, over 50% of the Island is now in environmental conservation of one form or another. Thirty-five years after the Land Bank was conceived, it is perhaps time to discuss allocating a minor portion of this steady revenue stream -- for a defined temporary timeframe -- to preserving an equally important resource - our year-round community.

Town Meeting has on three occasions unanimously sent a Home Rule Petition to the State House seeking to establish a separate source of funding, also based on a real estate transfer fee. Yet the legislature has been reluctant to affirm the will of Nantucket voters. Feedback from Boston has suggested that the simple change proposed by this article may be viewed more favorably as it reallocates an existing fee versus adding a new one.

This article seeks to respond to the members of the community who have wondered if the revenue stream of the Land Bank could be shared in a manner that would allow the Land Bank to continue with its land conservation mission while simultaneously allowing another critical community mission to be addressed: to provide safe and stable housing for those who live and work on Nantucket year-round.

It should be noted this article is designed intentionally with a delayed implementation date, in order that it will not result in any financial insecurity or risk for the Land Bank or the Town of Nantucket. Delaying implementation until January 1, 2022 will allow the Land Bank to address the questions of how its outstanding debt and operating expenses can be reconfigured so that an ongoing 1.5% revenue will be adequate to serve their needs and mission during the 20 years the reallocation of the 0.5% portion would be in effect.

It is the intention of this article to ask the Land Bank to refrain from the incurring of any additional debt obligations until it can be determined that the existing and future debt obligations can be supported by 75% of its current fee (1.5%).

A reliable, steady source of funding would allow the Nantucket Affordable Housing Trust (NAHT) to be able to offer programs it has long envisioned: down-payment assistance for year-round home buyers, more housing options for our seniors, and the ability to incorporate greater buffers and green space in future housing development.

Article:

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation to modify the Land Bank Act of 1983 (Chapter 669 of the Acts of 1983), as amended, to have 25% of the total Land Bank fee (1/4 of the 2% transaction fee prescribed therein) be transferred directly to the Nantucket Affordable Housing Trust Fund for a period of twenty (20) years to begin on January 1, 2022 for the purposes of the creation and preservation of affordable housing in the Town of Nantucket for the benefit of year-round low and moderate income households, consistent with the Trust's enabling legislation; provided that said special legislation shall include a requirement that the transfer of 25% of the Land Bank fee to the Affordable Housing Trust Fund shall be reduced in any given year by the amount necessary for the Land Bank to meet its then existing debt service obligations and other normal and customary operating expenses of the Land Bank as certified by the Land Bank to the Select Board each on or before June 30; and provided further that the Land Bank shall not incur any additional debt service obligations or other normal and customary operating expenses that cannot be supported by the remaining 75% of the Land Bank fee as so certified each year; and further to direct the Select Board that during the pendency of this Home Rule Petition not to enter into a Memorandum of Understanding as was contemplated in Article 30 of the 2020 Annual Town Meeting that would result in the incurring of a debt obligation of the Land Bank that would exceed its available revenue at the adjusted 1.5% fee; Or to take any other action related thereto.

END
OF
PACKET

JANUARY 5, 2021
