



UPDATED MEETING POSTING

Original Posting Date 1/13/22 Original Posting Number T 046

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)

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NANTUCKET TOWN CLERK
Posting Number: T 049

Committee/Board/s

AFFORDABLE HOUSING TRUST

Day, Date, and Time

TUESDAY, JANUARY 18, 2022 12:30PM

Location / Address

REMOTE PARTICIPATION VIA ZOOM (See Below)
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**

Allyson Mitchell
Housing & Real Estate Office Manager

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!**

UPDATED AGENDA

Please list below the topics the chair reasonably anticipates will be discussed at the meeting

JANUARY MEETING AGENDA FOR 1-18-2022

(Subject to change)

www.nantucket-ma.gov

Please click on the following link to join:

<https://us06web.zoom.us/j/82151225319?pwd=S0EvelY3b1NWTjdJZmtKUGZVVEJLZz09>

Meeting ID: 821 5122 5319

Passcode: **404929**

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 tholland@nantucket.ma.gov. Please email to request a paper copy and you will be provided a time to retrieve from the Housing Office located in Room 111 at 16 Broad Street between the hours of 8:30 AM and 4:30 PM on weekdays.

Trust Members: Brian Sullivan (Chairman), Brooke S. Mohr (Vice Chair), Penny Dey, Dawn Hill Holdgate, Dave Iverson, Reema Sherry

Staff: Tucker Holland (Housing Director), Ken Beaugrand (Real Estate Director), Allyson Mitchell (Housing & Real Estate Office Manager)

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
- III. APPROVAL of Minutes
 - Tuesday, June 1, 2021
 - Tuesday December 14, 2021
- IV. PUBLIC COMMENT for items not otherwise on the agenda
- V. CCAP/CFAP – UPDATES
 - Subordination of Mortgage – 1 Scotch Broom Path
 - Subordination of Mortgage – Larrabee Lane Lot 2
 - CCAP Application – Hafsa Lewis
 - CFAP Repayment – Isaiah Stover
- VI. 31 Fairgrounds – UPDATE
 - Review of Construction Timeline
 - Ribbon Cutting, Friday January 21, 2022
 - Confirmation of Closing Cost Coverage & Coverage for Owner’s Agent
- VII. Richmond Wildflower Acceleration - UPDATE
- VIII. Annual Town Meeting -UPDATE
 - Fin Com Discussions
 - Housing Bank Bill
- IX. 12 & 12R Bartlett Road – UPDATE
 - Inspection Information
- X. Demand RFP - DISCUSSION
- XI. Communications & Website– DISCUSSION

XII. Other Business

Upcoming Meetings (presently all planned to be conducted via Zoom)

- Discussion of proposed 2022 meeting dates

XIII. BOARD COMMENTS

XIV. 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.

XV. Adjourn

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MINUTES ~~

Tuesday, June 1, 2021

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: Brian Sullivan, Brooke Mohr, Penny Dey, Reema Sherry, Kristie Ferrantella, Allyson Mitchell

ABSENT: Dave Iverson

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

Public Present on Zoom: Marian Wilson

I. Call Meeting to Order

Brian SULLIVAN called the meeting to order at 1:03 pm.

Brain Sullivan 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

Penny Dey moved to approve the agenda. Brook Mohr seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Kristie Ferrantella Aye
4. Brooke Mohr Aye
5. Penny Dey Aye
6. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

III. Approval of Minutes

- May 18, 2021
- Approval of Minutes submitted by Finance Committee for meetings on:
 - March 8 – meeting posted in case quorum attained

Reema Sherry **moved to approve the Minutes for the meeting on May 18, 2021.** Kristie Ferrantella seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Kristie Ferrantella Aye
4. Brooke Mohr Aye

5. Penny Dey Aye
6. Brian Sullivan Aye

Minutes adopted by unanimous consent.

Reema Sherry **moved to adopt the Finance Committee Minutes for the joint meeting on March 8, 2021.** Brooke Mohr seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Kristie Ferrantella Aye
4. Brooke Mohr Aye
5. Penny Dey Aye
6. Brian Sullivan Aye

Finance Committee Minutes adopted by unanimous consent.

IV. CONTINUED Review of the DRAFT HPP

Tucker HOLLAND waiting on revisions from Judi.
CONTINUED to next meeting

V. Closing Cost Assistance Program (CCAP)

▪ Review of program parameters and potential revisions

Tucker HOLLAND with the Steele CCAP item brought to our attention by Julie Fitzgerald, they had an original closing which only used a small portion and then came back to utilize balance toward the construction loan closing, which was approved. All approved closing costs were items that were included on the Estimated Closing Costs from the bank which determines what is and is not eligible. While it came in two parts, it did not require us to change any definitions as to what is or is not an applicable closing cost. Program is designed to utilize and leverage the rigorous processes of qualified institutions. We defer to DHCD if they determine that someone meets their income and asset requirements. If a bona fide lending institution has deemed them suitable for underwriting, we are not equipped to go through a comparable underwriting process. Are there other things we would want to have included in closing costs which might not otherwise go on a qualified lending institution's statement of closing costs? We don't currently have a recommendation to change anything.

DISCUSSION of what are standard closing costs shown on Loan Estimate and Closing Cost Disclosure Statements such as surveyors, well, septic design, attorney fees, recording fees

Brooke MOHR closing costs are determined by the lender. The CFAP was created with a seller in mind whereby they do the work and repay the Trust when the lot sells. The CCAP was created with a buyer in mind. We want to help with these extensive up-front costs associated with getting a new Covenant lot ready for construction. It is like a mini-construction loan.

Penny DEY This was an issue of parity because it's a two-step process with the financing. The lender finances the purchase of vacant land. Subsequent to that, they use the equity of the vacant land to get a construction loan. Julie Fitzgerald's point was that the funds should be accessible for both steps.

Reema SHERRY in a construction loan, people are allowed to use the funds for infrastructure such as well and septic. What in the closing cost fees were considered redundant? Not much we can do about that unless they are Town fees in which case we can make policy recommendations. Tucker Holland if we are talking about new items that a bank would not include in closing costs, that may be a new program to consider. Julie wanted the program to be used to the maximum extent possible when there may need to be two transactions. Maybe we want to impose a limit on how much legal or survey fees can be part of this. We could impose a limit on customary approved closing costs or reach out to legal community for input.

Brooke Mohr paying a lawyer twice is part of the process of creating a covenant home. We could encourage lawyers to have restraint in how much they charge in these situations.

Tucker Holland the fact that there are two closings means there is work to do associated with each closing. Also not sure we can do anything to avoid the double fees in two step financing.

Penny Dey we may be conflating several issues. We should have a list of approved closing costs.

Tucker Holland Page 23 of the Meeting Packet shows what is covered.

Brian SULLIVAN Page 24 of the packet it says at the end of first paragraph, “*Once qualified, your conditional letter of approval is valid for 6 months.*” Do we need to identify and extend that in the 2-step process closings?

Brooke Mohr perhaps just adding 6 mo.s for the purchase of developed property and 8 mo.s for acquisition of land.

Brian Sullivan suggests we expand that to 12 months. There can be delays with delivery of modular. Some of the expenses are necessary for individual deals. Some property need wells, some need Town water. We could encourage attorneys to be fastidious with billing in these matters in terms of redundant fees.

Penny Dey Title Insurance is based on total value of land and structures.

Tucker Holland sounds like we want to expand the time frame to allow for a two-step closing. On Page 23 of the Packet (Program Outline), it reads, *funds are loaned are up to \$15,000 solely for closing costs based on a bona fide Loan Estimate from a recognized financial institution.* We could further elaborate the types of things that normally appear on a loan estimate under closing costs from a bona fide financial institution. We also want to add in the 175% AMI. Is there anything else?

Eleanor Antonietti added the 175% AMI after it was approved but the income limit numbers populating the chart need to be verified.

VI. Communications Sub-committee report

a. Annual Town Meeting preparation & outreach

Allyson MITCHELL screen-shares document to hand out at Town Meeting and put together a lot of the content. It will be printed on 11 x 17 paper and will be 4 pages, double sided. Document shows how we have spent money to date and clarifies what is still needed.

Brian Sullivan on 31 Fairgrounds, suggests we break apart the price for the land and the price for the construction.

Tucker Holland suggests that this apply to U Mass. There is a recorded purchase price for U Mass. It's \$2.6 m. for the land and \$500,000 is place holder for the demolition.

Brian Sullivan think demolition should be termed “site work”. Put anticipated costs next to amount still needed, because they are somewhat unpredictable.

Tucker Holland We could also break down the loan v. grant portion with Richmond as well.

Brian Sullivan it is important to isolate those as loans to demonstrate creative way to recycle the funds back to the Trust in the future.

Allyson Mitchell shows inside of the document which lays out funding articles showing how

FinCom voted on them.

Brian Sullivan also add how the Trust supported the various articles.

Brooke Mohr move FinCom votes to right of Article and Trust votes to left

Brian Sullivan do you plan to circulate the information that some articles may be taken out of order.

Ken BEAUGRAND Denise (Kronau) has said she will make that motion at start of meeting as a private citizen. This will be subject to attendees agreeing.

Allyson Mitchell Poets Corner will print. She can also turn into a pdf to be shared on social media.

Brian Sullivan it is easy to read and clear.

Ken Beaugrand suggests we ask Florencia to put on social media since this will be outdoor and different.

Brooke Mohr Requests like that typically go through staff to Florencia.

Reema Sherry hopes links to video and webinar with personal stories is on website and we need to share.

Allyson Mitchell points out the flow code that once scanned will take straight to AHT website. Originally, she had more info about SHI and Safe Harbor, but it was too much text. Last page shows the Safe Harbor timeline.

Brian Sullivan he is concerned we are underestimating the need for a solution by stating “\$24,000,000 needed” on front page. It will take \$50 m. just to get us to this many units and Safe Harbor through 2025. There is no ownership component or secondary market in that discussion. We need to be careful not to understate the need for program and SHI maintenance. Our need is more like a \$400-500 million if we are to tackle the problem over next decade.

Allyson Mitchell there is room to make a statement like that at the bottom. Anticipated costs for these programs would be closer to “?”

Ken Beaugrand The heading “Amount Still Needed” could be changed to something like current estimate of 2-years need or give a time frame. Get the estimate that Sully wants relative to rising construction costs.

Penny Dey You could frame it as projected need or estimated projection. She is concerned about throwing out such a huge number without more discussion and maybe a vote. Is this the place to do that?

Brian Sullivan his intent is to identify that it is not only \$24 m. that is needed.

Penny Dey how will we address the question of how many units have we created that people are already living in?

Tucker Holland we can talk about the 50 families that have benefited from CCAP and about things in pipeline. To have a substantial number of units completed within 2 years of receiving the public money, including permitting and the acquisition process and original setting of parameters by Neighborhood First Advisory Committee, demonstrates that we are moving rapidly.

Penny Dey yes but there will be those who say, “we gave you \$25 m. Where are the units?” People thought this was supposed to be for existing single-family units, so we need to be prepared to explain this carefully.

Tucker Holland Our approach is sound.

Penny and a fiscally responsible way to achieve this goal.

Brian Sullivan 98 units on the list that we are using Neighborhood First money for is significantly higher figure than originally anticipated. We were originally talking about 20 units which we have turned into 98 units through creative financing, long term loans and in fiscally responsible ways.

Penny Dey need to be able to explain that in simple terms

Allyson Mitchell shares Nantucket Island “Housing 101”. We can take some of this content and put in smaller print supplemental insert on inside of flyer.

Tucker Holland will send it to everyone on the Board so they can submit comments.

Allyson Mitchell Poets Corner can print Thursday.

Reema Sherry thinks this information answers a lot of questions for voters. Well done and clear. Questions she is seeing in social media ask “how have we spent the money”. This is a helpful way to answer that and other questions. People are bored at ATM and want stuff to look at. We will need to do hand-outs at beginning.

DISCUSSION of adjustments to flyer.

Tucker Holland points out that of the \$24 m. needed right now, roughly \$14 m. of that would be on the Warrant for this year. Article 10 is a bonding authorization to utilize a portion of the \$1.6 m. toward bonding up to \$6.5 m. Someone could ask why we need both Article 10 and Article 24 which is the \$7.5 m. debt exclusion that we need most, especially given increased construction costs. We are likely to need most if not all of the \$6.5 m. in Article 10 in order to provide local subsidy to 6 Fairgrounds due to the change in construction costs which occurred during the legal action of the neighborhood appeal. That is 64 units that is ready to go but there is a big hole in financing now. If we want to move forward, we will likely need to provide local subsidy.

Brook Mohr the longer we wait to solve this, the more expensive it gets. Hopes we can be persuasive as to longer term funding on Town Meeting floor. We have a three-fold job to explain the need in a way compels people to take action, to explain what we have done and what we hope to do, and to explain how it might be funded. Share this with your friends and encourage people to come to town meeting and listen.

Penny Dey motioned that the Nantucket Affordable Housing Trust **approve having the document with the supplemental piece presented by the Communications Subcommittee distributed at Town Meeting based on final review prior to having it printed on Thursday.**

Brooke Mohr seconded the motion.

ROLL CALL of those participating:

1. Reema Sherry Aye
2. Allyson Mitchell Aye
3. Kristie Ferrantella Aye
4. Brooke Mohr Aye
5. Penny Dey Aye
6. Brian Sullivan Aye

The motion carried unanimously.

VII. Other Business

Next Meetings

- June Regular Meeting: Tuesday, June 15, 2021 at 1:00pm

Tucker Holland Our next meeting will be last virtual and start in person in July. Going forward it is going to work better for Erika if we are able to conduct our meeting on the 1st and 3rd Tuesdays as had been our practice but that we start at 12:30 rather than 1pm. Is that doable?

Penny Dey comments that frequency of meeting every 2 weeks all year long is a lot while working full time.

Brian Sullivan there is a lot of work that we do as volunteers. Once HPP is done, we may be able to resume a once a month schedule.

VIII. PUBLIC COMMENT (for items not otherwise on the agenda)
NONE

IX. BOARD COMMENTS
NONE

X. 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 Brooke Mohr and seconded by Penny Dey 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. Kristie Ferrantella Aye
4. Brooke Mohr Aye
5. Penny Dey Aye
6. Brian Sullivan Aye

The motion carried unanimously.

XI. Adjourn

Open Session Meeting ended at 2:13pm

Submitted by:
Eleanor W. Antonietti

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MINUTES ~~

Tuesday, December 14, 2021

Remote Meeting *via* Zoom – **12:30 pm**

Trust Members: Brian Sullivan (Chair), Brooke Mohr (Vice-Chair), Penny Dey, Dawn Hill Holdgate, Reema Sherry, Dave Iverson

ATTENDING MEMBERS: Brooke Mohr, Penny Dey, Dave Iverson, Reema Sherry, Brian Sullivan

ABSENT: Dawn Holdgate

STAFF IN ATTENDANCE: Tucker Holland (Housing Specialist); Ken Beaugrand (Real Estate Specialist); Allyson Mitchell (Housing & Real Estate Office Manager); Vicki Marsh (Town Counsel)

ANTICIPATED SPEAKERS: Hilary Rayport, Billy Cassidy, Dave Armanetti, Anne Kuszpa, Steve Hollister

Public Present on Zoom: Renee Ceely, Art Gasbarro, Peter Kaizer Jr., Keith Bergman, Jason Graziadei, Meg Browsers, Kimberly Reed, Howard Dickler

I. Call Meeting to Order

Brian Sullivan called the meeting to order at 12:33pm & reads Public Participation Guidelines

II. Approval of Agenda

Penny Dey moved to approve the agenda. Reema Sherry seconded the motion.

ROLL CALL of those participating:

1. Penny Dey Aye
2. Reema Sherry Aye
3. Dave Iverson Aye
4. Brooke Mohr Aye
5. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

III. Approval of Minutes

Brooke Mohr moved to approve the minutes from Tuesday August 24, 2021. Penny Dey seconded the motion. Dave Iverson abstained.

ROLL CALL of those participating:

1. Penny Dey Aye
2. Reema Sherry Aye
3. Dave Iverson Aye
4. Brooke Mohr Aye
5. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

Brooke Mohr moved to approve the minutes from Tuesday September 21, 2021. Dave Iverson seconded the motion.

ROLL CALL of those participating:

1. Penny Dey Aye
2. Reema Sherry Aye
3. Dave Iverson Aye
4. Brooke Mohr Aye
5. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

Brooke Mohr moved to approve the minutes from Thursday, September 30, 2021. Dave Iverson seconded the motion. Dave Iverson abstained.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Brooke Mohr Aye
3. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

IV. Public Comment

Tucker Holland acknowledges past member of the Board Judith Wegner, who passed away recently. Her contributions to the Trust were many, she was a terrific ally for the work the Trust does as the Chair of the Planning Board and in life. Brian Sullivan echoes the sentiment.

V. 31 Fairground – Building Permit Update & Additional Financing Request

Billy Cassidy notes that he submitted a check to the PLUS department today and will have building permits this afternoon.

Anne Kuszpa, asking for additional grant funding towards the development of the Wiggles Way project. 22 units of affordable housing, 100% affordable, income qualified. Through the regulatory process, the project has been redesigned and we think it's better in terms of appearance and livability. Increased from 5 to 8 buildings, increase of total livable square footage. Change in the construction methodology, driving towards a Net Zero project. Also been nationwide increases in materials, labor, etc. that necessitate a price adjustment. Total grant asking for is \$2.266 million,

\$856k for redesigns out of the planning board and HDC process

\$600k is towards solar

\$810k for inflation and change in construction techniques

Some changes...more smaller buildings. No more than three families per buildings. Apartments themselves are larger and more energy efficient. Project contains 1, 2 & 3 Bedroom units. Modeled to serve 50%, 80%, 110% and 150% households, so cost increases can't be covered by rents, there are no market rate units. Rents are controlled by the state issued affordability formulas. Our rent roles can't absorb these additional costs, so we are coming to you with a grant rather than a loan. We are not comfortable taking on any additional debt for this project.

Steve Hollister put together a change order document, and an amended schedule of draws. He has advised us that the cost per square foot is in line with what the market would expect right now. The original agreement with the Trust states that if the project exceeds the original pricing due to changes in the project construction and specifications because of the regulatory process necessary for the approval for the project, that Housing Nantucket can come back for additional funding. With your support, we can execute this change order form and the builder can order the buildings. We are still on track for July 2022 occupancy. Need to make sure we can still accommodate 50% AMI which is one of the primary reasons we need monies in the form of a grant rather than a loan.

Penny Dey, we all knew this was coming, just concerned with what form it takes. Wondering how much the Net Zero will change the tenant's utility bills and is that calculated into the rent formulas?

Anne Kuszpa, the state allows for a utility allowance which reduces rent by a certain amount if tenants pay their own utilities, we presume around \$100 a month. Our experience as managers, we believe the tenants should pay utilities themselves, so they can be conscientious of their usage. We're still working out the utilities cost...the solar hasn't been approved by HDC yet.

Penny Dey, has anyone figured out what the carrying cost is on this, if it gets extended or added term on to the existing loan? We should figure that out.

Billy Cassidy, first, Housing Nantucket owes Fairground Commons, LLC money. Second, we could do infrastructure work today for future solar work, if solar work needs to be tabled in the discussion today.

Reema Sherry, solar is separate than the buildings from what I understand. Has anyone spoken to Lauren Sinatra about grant possibilities for the solar? Anne could you do that?

Anne Kuszpa, has spoken to Lauren, understanding is that there is a Community Wind Fund for renewable energy projects, but the grant application won't be open until this spring.

Penny Dey, can we talk about Mr. Cassidy's money being due?

Peter Kaizer, we were looking for clarity on whether or not we were going to come to terms on the increased funding on this meeting, there's nothing else holding up the payment to Mr. Cassidy. As of right now, based on a \$6.75 million loan, 1/2% over 50 years/600 months, looking at \$12,700 a month in debt service or \$153,000 a year. We found ourselves with a slight enough buffer to justify for our financial purposes this project, but if you add another \$2.2 million loan, that's an increase in monthly debt service to \$17,000...a \$4,300 a month increase, a \$51,000 swing a year which gets us -\$30,000 annually.

Penny Dey, I think it's highly unlikely that the rental rates are going to stay the same for 50 years. Also, whatever obligations you have on the developer, that is not contingent on what we're talking about.

Brian Sullivan, was inflation factor on increased rent accounted for, when you decided you couldn't take on increased debt service?

Anne Kuszpa, yes, we included increased rents as well as increased expenses. Also, we are withholding payment to Fairgrounds Commons because the project has changed so much. Our agreement with you all, was for a very different project, before we make payments on this, we want to know exactly how much the extra costs are going to be and where they're going to come from. We need to know that you'll continue to support the project before we move forward.

Reema Sherry, can we make the loan go longer, if we wanted to make the monthly payment the same and just extend the term of the loan?

Peter Kaizer, probably a 70-year term...adding 20 more years to the current term.

Brooke Mohr, appreciate Housing Nantucket coming to us, before they leap into the ordering of the buildings, that is smart and fiscally responsible. Can we split the difference? 70 years is a long time. Maybe we table the solar for the time being?

Brian Sullivan, if there is approval made here today, it goes to the Select Board correct? In the January meeting?

Vicki Marsh, yes, any expenditure over \$100k, you go to the Select Board. You will not have final approval on this until January, after their January executive session.

Dave Iverson, I think we should take solar out of the equation and figure out what it costs to have the infrastructure existing and then solar further down the road.

Anne Kuszpa, if we got a grant approval we could move forward quickly. If some project needs to be funded by the loan, we'd need to have a board meeting and get our board to discuss and agree to terms. Would need to be included in the timeline.

Penny Dey, I'm not comfortable with contractual obligations not being met until we sort this through.

Vicki Marsh, you should discuss this in executive session further. But keep in mind, you're always going to have to go to the Select Board for their approval, so whether you decide today or need further information, the approval will have to be withheld anyhow until the Select Board executive Session.

Brooke Mohr, if this Board were to give you a sense of the meeting, that we are willing to support a financially viable grant and loan extension in principle, is that enough for Housing Nantucket for now, given that we won't get a final green light from Select Board until January?

Brian Sullivan, what happens with the modular company if there is no financial commitment made? Where does the project timeline go if there is continued delay?

Billy Cassidy, if Fairground Commons isn't paid today, there is no agreement going forward.

Brian Sullivan, keeping this item open to carry into executive session.

Steve Hollister, important for the Board to know, Housing Nantucket moved this forward as fast as they could. The \$750k is due upon ordering the modules, not a specific date. Not all the modules have

been ordered. HN wanted to bring this to this Board as quickly as possible to keep things moving in a timely manner.

VI. Richmond Wildflower Acceleration

Dave Armanetti, on the regulatory side, we're hustling to overcome inherent delays to get local building permits issued in time to get to DHCD. Permit for building 1, 2 Wildflower Drive was issued several weeks ago. Permit for 2 Bluestem Place (second building), Paul Murphy has final application and has committed to pushing that through in the next day or two. Building 3, similarly, all that paperwork is also with Paul as of today and has promised to get his final review done there in an expedited manner.

Tucker Holland, thanks Dave and Richmond for all their work on this. Brooke Mohr agrees.

Dave Armanetti, in addition to the regulatory progress, we're full speed ahead in the field. The first 4 of the 12 modules for the first building were delivered last week, sitting at the site. The foundation excavation for the first two buildings is underway. Foundation subcontractor is on island and ready to start forming. The first buildings will be set the week after New Years and the next two will be coming right after that. We don't expect any delays in the occupancy right now. We'll be starting our outreach in terms of AMI marketing right after the new year.

VII. Annual Town Meeting Citizen Warrant Article Presentation – Hilary Rayport

SEE ATTACHED PRESENTATION FROM MS. RAYPORT

Penny Dey, we were surprised at the Housing Authority that nobody approached us about this. I would like to suggest that Hilary considers having the AHT Planning Board appointee serve on the new commission rather than take away a seat from the Housing Authority. There is a value in having appointed seats, rather than voted in. Personally, I don't support them being elected.

Brooke Mohr, one of the three Planning Board reps, must be the rep that also sits on the AHT, so there are two housing reps on the NP&EDC.

Dave Iverson, how will this help with affordable housing?

HR, going through this process because I think there could be something better in long range planning. Three documents we're working of of...Open Space, Master Plan, Municipal Harbor Plan...all from 2012 or earlier. The community is changing so rapidly, and land use is changing drastically, we need to take long term planning seriously. Also, I think elected positions mean that those elected seats feel a responsibility to the people. I think there needs to be more transparency.

Brian Sullivan, I find it hard to get people to run for elections, based on the time commitment, the public view of it in this small community, etc. I feel like we lose good people who aren't willing to go through an election process.

Dave Iverson, the transparency piece bothers me...this suggest to me that Board members and town

employees are being dishonest, which bothers me. I caution that phrase. Also, the master documents/plans are 10-year processes.

Renee Ceely, surprised that someone would choose to eliminate a Housing Authority role without discussing it with us first, this appointed position has been on the NP&EDC since its beginning. The Housing Authority is always represented and consulted in affordable housing decisions.

VIII. 12 & 12R Bartlett Road – Purchase & Sale

Vicki Marsh, packet has the almost final P&S, there may be some small changes but this is pretty much final. Also included is a temporary access agreement which is under negotiation. This is the license for the Trust to be able to enter the property and do necessary inspections and testing on the property to make sure there are no environmental and building issues that would prevent the development of an affordable housing project on this site. Potential closing date, depends on the completion of the inspections, will be February 15th.

Brian Sullivan – recused himself. **Brooke Mohr** is the chair now.

Dave Iverson, we found that 30 Acres Rd. is a private road. There have been access issues with the people who control that road, some problems gaining access or not being allowed to gain access. Hoping to get in touch with the HOA that allows us access to 30 Acres Rd.

Vicki Marsh, the P&S provides that the Trust doesn't need to accept the title if there are easements or restrictions on the deed that won't allow for affordable housing development purposes. If we were to find out that these access restrictions would prevent the development of this property for affordable housing, we would have the ability to ask the seller to negotiate with the HOA to provide us with the release and enable development of the project. There are ways that we are protected in terms of restrictions on this property.

Dave Iverson, a tender touch with the HOA is probably most effective, should be some discussion about how to approach. It would be nice to have two forms of egress.

Tucker Holland, reached out to NFD to see if they require two cuts for egress, no opinion.

Vicki Marsh, the P&S is the means to secure out ability to move forward and allows us to do our due diligence.

Penny Dey moves to approve and execute the Purchase and Sale Agreement between Bear Vault LLC and the Trust for purchase of land and buildings located on 12 and 12R Bartlett Road, Nantucket shown as Lots B and C on a plan recorded with Nantucket County Registry of Deeds in Plan File 46-J. Reema Sherry second.

ROLL CALL of those participating:

1. Penny Dey Aye
2. Reema Sherry Aye
3. Dave Iverson Aye

4. Penny Dey Aye
5. Reema Sherry Aye
6. Dave Iverson Aye
7. Brooke Mohr Aye
8. Brian Sullivan Aye

Agenda adopted by **UNANIMOUS** consent.

X. Communications Update

Carried to next meeting.

XI. Other Business

None.

XII. Board Comments

None.

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.

Specific matter requires confidentiality.

The **MOTION** was made by Brooke Mohr and seconded by Penny Dey 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. Penny Dey Aye
2. Reema Sherry Aye
3. Brooke Mohr Aye
4. Dave Iverson Aye
5. Brian Sullivan Aye

The motion carried unanimously.

XIV. Adjourn

Open Session Meeting ended at 2:11pm

Submitted by:
Allyson Mitchell

Citizen Warrant Article

Primary Sponsor

Name: Hillary Hedges Rayport

Address: 89 Main Street, Nantucket, MA 02554

Email: hrayport@mac.com

Phone #: 617-697-6429

Warrant Article Title: An Act Amending the Nantucket Planning
and Economic Development Commission

To see if the Town will vote to (may attach body of article on separate page):

See attached pages

; or otherwise act thereon.

Home Rule Petition: An Act Amending the Nantucket Planning and Economic Development Commission.

To see if the Town will vote to request its representatives in the General Court to introduce special legislation, the text of which is set forth below, amending Chapter 561 of the Acts of 1973, as amended, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage. *(NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text):*

AN ACT Relative to the Nantucket Planning and Economic Development Commission.

Be it enacted, etc., as follows:

SECTION 1. In order to plan for the orderly and coordinated development and protection of the physical, environmental, cultural, social and economic resources of the Island of Nantucket, there is hereby established the Nantucket Planning and Economic Development Commission, hereinafter called the "Planning Commission;" or the "Commission." The purpose of the Planning Commission is to plan for: balanced economic growth, the preservation of natural resources including open space, coastal resources, ground and surface water and ocean quality as well as other natural resources of Nantucket, the provision of adequate capital facilities, including transportation; the development of an adequate supply of fair affordable housing; and the preservation of historical, cultural, and recreational values. The Planning Commission shall consist of eleven (11) members as follows: ~~the members~~ (3) three representatives of the Planning Board of the Town of Nantucket, to be appointed annually by said Planning Board; one (1) representative of the Nantucket Housing Authority ~~The Nantucket Affordable Housing Trust~~, to be appointed annually by said Authority Trust; one (1) representative of the County Commissioners of Nantucket County to be appointed annually by said County Commissioners; one (1) representative of the Conservation Commission to be appointed annually by said Conservation Commission; one (1) member of the Nantucket Historical Commission to be appointed annually by said Historical Commission; The Director of the Nantucket Department of Public Works or his or her designee which shall be designated by the Town Manager of said town; and three (3) persons to be elected. ~~appointed at large by the Commission; one (1) for a term of one (1) year, and one (1) for a term of two (2) years and one (1) for a term of three (3) years.~~

At the first annual election held after the effective date of this Act, three members shall be elected as follows: one (1) to serve for one (1) year, one (1) for two (2) years, and one (1) for three (3) years, and thereafter when the term of any elected member expires, his or her successor shall be elected to serve for three (3) years. In all cases the members shall serve until their successors are elected and qualified.

Any vacancy in the elected membership shall be filled by a majority vote of the Nantucket Planning Commission, said vacancy to be filled for the remainder of the unexpired term.

After the first annual election held after the effective date of this Act, the Planning Board shall appoint three of its members for a term of one year each, and the following appointments shall be made: a member of the Affordable Housing Trust, a County Commissioner, a member of the Historical Commission, a member of the Conservation Commission, and the Director of the Department of Public Works, each to serve for a term of one year.

SECTION 2. The Planning Commission shall be responsible for the preparation of comprehensive plans for the protection of the physical, and social and environment, economy, ~~is development~~ and general quality of life of ~~said county and town~~ the Town and County of Nantucket and shall make recommendations for action to implement said plans to the responsible county and town agencies. Such plans shall include, but not be limited to, the preparation of studies, research reports and maps of natural and cultural resources, land utilization, economic development, recreation and conservation, transportation and population characteristics. In order to carry out these responsibilities, the Commission may retain such experts as may be required.

Section 2A. The Planning Commission shall produce and make available a written report of its activities, annually.

SECTION 3. To meet the expenses incurred under this Act, the Planning Commission may expend from the treasury of the Town of Nantucket such sums as may be appropriated therefor by said town. All bills incurred in carrying out the provisions of this Act shall be accompanied by proper vouchers and shall be paid by the Town Treasurer of said town only on warrants approved by the Commission or a committee appointed by it for such purpose. Voluntary contributions, either public or private, for such purposes may be deposited in said treasury. No appointments shall be made and no money shall be expended hereunder except by the affirmative vote of a majority of the members of said Commission. No moneys expended under this Act shall be used for recreational advertising or promotion. The Planning Commission may be designated by any state or federal agency to participate in or receive funds and technical assistance from any state or federal programs, especially as those programs relate to environmental protection, conservation, land planning, water and air quality control, economic development, transportation or the development of region-wide public services.

SECTION 4. Within 30 days following each annual Town election, ~~The Planning Commission shall elect a Chairman and such other officers as it may, by rule, provide~~ Vice Chairman, and may make such other rules and regulations not inconsistent with the provisions of this Act as it may, by majority vote, provide. Each member of the Commission shall have one (1) vote. Members of the Commission shall serve without compensation. The duties of the Chairman include:

- a) Presiding over all meetings of the Planning Commission with the right to vote on all questions, absent conflict of interest, and to propose the agenda prior to each such meeting;
- b) Reporting annually to the people of the Town on the work of the previous year.

Section 4A. The Planning Commission shall be one (1) of the Commonwealth's regional planning agencies.

Section 4B PLACEHOLDER

Section 4B.C. Certain developments of regional economic impact as hereinafter defined proposed to be constructed within the limits of the town of Nantucket shall not be constructed within that town without a Development of Regional Economic Impact Permit, hereinafter referred to as DREIP, issued by majority vote of the Commission. A DREIP shall be in addition to and not a substitute for, nor shall it in any way detract from, any permit, license, approval or other permission issued by the town of Nantucket or any other applicable governmental authority.

Section 4B.D. Developments of regional economic impact shall be those large-scale commercial and industrial developments that have the potential to impact the appearance, society and economy of the town of Nantucket that exceed any 1 of the following minimum thresholds:

- (1) 30,000 gross square feet of interior space in a single building or on a single lot for retail, manufacturing or industrial use;
- (2) 40,000 square feet of exterior storage, exterior industrial use;
- (3) alterations to more than 5 acres of shore, beach, seacoast, pond, marsh, dune, woodland, grassland, heathland, wetland, endangered species habitat, aquifer or other resource area for commercial or industrial use; or
- (4) any commercial or industrial use that requires more than 100 parking spaces as determined by the zoning by-law of the town of Nantucket.

Section 4B.E. The Commission shall by majority vote adopt rules and regulations for the issuance of a DREIP after a public hearing, with a minimum of 14 days prior notice to the Select Board of selectmen of the town of Nantucket of the time and place of such hearing; provided, however, that the rules and regulations shall not take effect except upon an affirmative vote of a simple majority of voters of the town of Nantucket at a duly scheduled town meeting. The rules and regulations shall include specific time lines for action by the Commission, including, without limitation, that the Commission shall file a written decision with the town clerk within 180 days of the Commission's receipt of a complete application for the issuance of a DREIP, and standards and criteria to assess visual and environmental impacts, employment characteristics and requirements for municipal or regional services including solid waste disposal, water, sewer, tourist services and facilities, transportation and education. The rules and

regulations shall provide that the eC Commission shall issue a DREIP upon making the following findings:

- (1) the probable benefit of the proposed project will exceed the probable detriment;
- (2) the proposed project is in compliance with any master plan adopted by the community pursuant to section 81D of chapter 41 of the General Laws or other authority; and
- (3) there are no practical, feasible or practicable options or alternatives that might otherwise be employed due to unique physical, social or economic conditions related to the town of Nantucket's island location.

SECTION 5. This Act shall take effect upon its passage.

SUBORDINATION OF MORTGAGE

The Town of Nantucket Affordable Housing Trust Fund, a municipal affordable housing trust created pursuant to G.L. c. 44, §55C by Declaration of Trust dated February 8, 2010, recorded with Nantucket County Registry of Deeds in Book 1221, Page 20, as amended by First Amendment to Declaration of Trust dated September 25, 2014 recorded with said Deeds in Book 1452, Page 272, holder of a mortgage from **Katherine R. Cabral and Gregoire M. King** on property located at 1 Scotch Broom Path, Nantucket, Massachusetts, dated March 21, 2017, in the original principal amount of \$7,000.00 and recorded with said Deeds in Book 1584, Page 85 ("Subordinated Mortgage") hereby agrees that said Subordinated Mortgage and the obligations secured thereby shall be and are hereby subordinate and junior in right to a mortgage given by **Gregoire M. King and Katherine R. Cabral to The Cape Cod Five Cents Savings Bank** and its successors and assigns as their interests may appear, in the original principal amount of \$305,000.00 dated _____, 2022 and recorded with said Deeds in Book _____, Page ____ (the "Mortgage") and to future advances thereunder, to same extent as if the Mortgage had been executed and recorded and all advances made hereunder prior in time to the execution and recording of the Subordinated Mortgage.

Executed as a sealed instrument this _____ day of _____, 2022

TOWN OF NANTUCKET
AFFORDABLE HOUSING TRUST
FUND
By its Board of Trustees

By: _____
Brian Sullivan, Chairman and
Trustee

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Brian Sullivan, Trustee of the Town of Nantucket Affordable Housing Trust Fund and Chairman of its Board of Trustees, personally known to me to be the person whose name is signed on the foregoing instrument, and acknowledged to me that he signed it voluntarily, for its stated purpose and as the free act and deed of the Town of Nantucket Affordable Housing Trust Fund.

Notary Public
My Commission Expires:

SUBORDINATION OF MORTGAGE

The Town of Nantucket Affordable Housing Trust Fund, a municipal affordable housing trust created pursuant to G.L. c. 44, §55C by Declaration of Trust dated February 8, 2010, recorded with Nantucket County Registry of Deeds in Book 1221, Page 20, as amended by First Amendment to Declaration of Trust dated September 25, 2014 recorded with said Deeds in Book 1452, Page 272, holder of a mortgage from **Adam Michael Lockley and Ann Walker** on property located at 8 Larrabee Lane (f/k/a Lot 2, Larrabee Lane shown on Plan recorded with Nantucket County Registry of Deeds as Plan No. 2020-61) Nantucket, Massachusetts, dated October 8, 2021, in the original principal amount of \$5,999.07 and recorded with said Deeds in Book 1853, Page 276 (“Subordinated Mortgage”) hereby agrees that said Subordinated Mortgage and the obligations secured thereby shall be and are hereby subordinate and junior in right to a mortgage given by **Adam Michael Lockley and Ann Walker to The Cape Cod Five Cents Savings Bank**, in the original principal amount of \$750,000.00 dated _____, 2022 and recorded with said Deeds in Book _____, Page _____ (the “Mortgage”) and to future advances thereunder, to same extent as if the Mortgage had been executed and recorded and all advances made hereunder prior in time to the execution and recording of the Subordinated Mortgage.

Executed as a sealed instrument this _____ day of _____, 2022

TOWN OF NANTUCKET
AFFORDABLE HOUSING TRUST
FUND
By its Board of Trustees

By: _____
Brian Sullivan, Chairman and
Trustee

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Brian Sullivan, Trustee of the Town of Nantucket Affordable Housing Trust Fund and Chairman of its Board of Trustees, personally known to me to be the person whose name is signed on the foregoing instrument, and acknowledged to me that he signed it voluntarily, for its stated purpose and as the free act and deed of the Town of Nantucket Affordable Housing Trust Fund.

Notary Public



Nantucket Affordable Housing Trust Fund

2 Fairgrounds Road, Nantucket, MA 02554

Closing Cost Assistance Payment Application

FULL NAME: HAFSA LEWIS

FULL NAME: _____

Note: Please provide the full name and Social Security number for all individuals that will be on the mortgage on a separate piece of paper in typed form.

For Planning Office Only

Date Received:

CURRENT ADDRESS

STREET: 45 B BEACH GRASS RD

CITY/TOWN: NANTUCKET STATE: MA ZIP CODE: 02554

BEST PHONE: 603.793.6674 EMAIL ADDRESS: HAFSALEWIS@GMAIL.COM

YEARS AT THIS ADDRESS: 7 MON. If less than two years, please provide previous address:

HOUSEHOLD INFORMATION

HOUSEHOLD AMI (please circle one): 150% 100% 80% 175%

TOTAL NUMBER OF PERSONS IN HOUSEHOLD (INCLUDING SELF): 1

PLEASE LIST ALL HOUSEHOLD MEMBERS WHO WILL OCCUPY THE HOME, REGARDLESS OF AGE

NAME	AGE	RELATIONSHIP

1. Do you own or have financial interest in any other real estate and/or business? YES _____ NO ☒

If yes, please describe: _____

2. Do you have an executed Purchase and Sale Agreement? YES ☒ NO _____

If YES-Please attached an executed copy as part of the application

If NO-When is the anticipated date a Purchase and Sale Agreement will be executed? _____

If NO-Do you have an accepted offer? YES _____ NO _____

**Please not that CCAP loans authorized without an executed Purchase and Sale Agreement will expire six (6) months from approval date.*

SUBJECT PROPERTY:

Address: _____

Purchase Price: \$ 705,000 Scheduled Closing Date: _____

Property Type: ☐ Single-Family Home ☒ Condominium ☐ Land

4. Is there a permanent deed restriction on the subject property guaranteeing ongoing affordability at 150% AMI or less? YES ☒ NO _____

If NO, Would you be willing to place a deed restriction on the subject property to guarantee ongoing affordability YES _____ NO _____

**Permanent deed restriction on the subject property guaranteeing ongoing affordability at 150% AMI or less is a requirement of funding.*

5. Have you attended an approved First Time Home Buyer Education class*? YES _____ NO ☒

If YES, please provide a copy of your completion certification.

** Attendance is a requirement of funding.*

6. Have you been awarded a right to purchase an 80-150% AMI restricted property through an authorized monitoring agent? YES _____ NO ☒

If YES, please provide a copy of your certificate.

** Right to purchase an 80-150% AMI restricted property through an approved lottery program is a requirement of funding.*

HOUSEHOLD ASSETS

Assets are items of value, such as IRAs, CDs, and checking and savings accounts. Interest received from assets are included as part of your income. Assets do not include necessary personal property such as clothing, furniture, automobiles, jewelry, etc. Please describe your assets and income or dividends from these assets in the chart below. Continue on a separate sheet if necessary.

Household Member	Asset Description	Cash Value
HAYSA LEWIS	SAVINGS	\$ 60,000
	CHECKING	\$ 2500
		\$
		\$
		\$

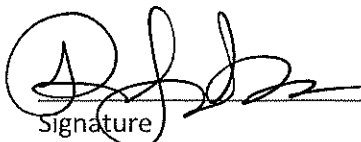
Total cash value of all assets = \$ 62,500

In signing this application I/we hereby certify that:

- I/we have correctly indicated the number of persons in the household;
- My/our total liquid assets do not exceed the allotted amount for my/our AMI bracket;
- We have been qualified to purchase a permanently deed-restricted home in the County of Nantucket, MA, for buyers at 150% or below Area Median Income;
- The information contained in this application is true and accurate to the best of my/our knowledge and belief under the full pains and penalties of perjury and understand that perjury will result in disqualification from further consideration; and
- I/we understand that it is my/our obligation to secure the necessary mortgage for the purchase of the home and all expenses, including closing costs, down payments, etc.

I/we will furnish to the Town of Nantucket upon request at any time any and all income and/or asset and other financial information, any and all household, resident location, and workplace information and I further direct any employer, landlord, or financial institution to release any information to the Town for the purpose of income and/or asset determination eligibility.

I/we understand that I/we are purchasing an affordable home at a substantially discounted price and that the home will remain affordable for any future buyers. I/we understand that I/we will be required to sign a Deed Rider that describes my/our responsibilities under the affordable housing program. The restrictions will apply to me and all future buyers of my/our home.

	1/12/22		
Signature	Date	Signature	Date

Submit to Town of Nantucket, Affordable Housing Trust Fund, Planning Office, 2 Fairgrounds Road, Nantucket, MA 02554

Proposed Dates for 2022 AHT Meetings

Tuesday, January 18, 2022

Tuesday, February 15, 2022

Tuesday, March 15, 2022

Tuesday, April 19, 2022

Tuesday, May 17th, 2022

Tuesday, June 21, 2022

Tuesday, July 19, 2022

Tuesday, August 16, 2022

Tuesday, September 20, 2022

Tuesday, October 18, 2022

Tuesday, November 15, 2022

Tuesday, December 20, 2022

**All meetings held at 12:30pm with an anticipated Executive Session afterwards, beginning at approximately 2pm*