



MEETING POSTING 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
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Committee / Board

AFFORDABLE HOUSING TRUST

Day, Date, and Time

TUESDAY, January 17, 2023 @ 12:30 PM

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-sgxAlfdoxteLNzRAUHIxA>

Signature of Chair or
Authorized Person

Hayley Cooke
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!**

AGENDA

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

PLEASE CLICK ON FOLLOWING LINK TO JOIN ZOOM MEETING:

<https://us06web.zoom.us/j/87673634620?pwd=K2cycWhZeUJwdTBBa3orSXZXd3pXUT09>

Meeting ID: 876 7363 4620

Passcode: 335366

- I.** Call to Order
- II.** Approval of Agenda
- III.** Approval of Minutes: 11/15/22, 12/20/22, 12/29/22 and 1/11/23

- IV.** Public Comment
- V.** \$5,000,000 Housing Override Presentation
- VI.** CCAP & CFAP Program Summary
- VII.** Update on Violet Place Acceleration
- VIII.** Update on 31 Fairgrounds Rd.
 - Including review of AMI units and how they will be filled
- IX.** Update on 2-year HPP Certification Request (DHCD)
- X.** RFP Review and Approve: Orange Street
 - Subject to final comments from Town Manager, Finance Director and Town Counsel
- XI.** RFP Review and Approve: Amelia Drive
 - Subject to final comments from Town Manager, Finance Director and Town Counsel
- XII.** RFP Review and Approve: Bartlett Rd.
 - Subject to final comments from Town Manager, Finance Director and Town Counsel
- XIII.** Seven Letter Contract
- XIV.** Emily Stover Gift to AHT
- XV.** Housing Newsletter, 2nd Edition
- XVI.** Review Proposed Meeting Schedule for 2023 AHT Meetings
- XVII.** Other Business

XVIII. Board Comments

XIX. Adjourn

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

Tuesday, November 15, 2022

Remote Meeting *via* Zoom – 12:30pm

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

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

ABSENT: Brian Sullivan

STAFF IN ATTENDANCE: Hayley Cooke (Housing & Real Estate Office Manager); Ken Beaugrand (Real Estate Specialist), Vicki Marsh (Town Counsel)

ANTICIPATED SPEAKERS: Anne Kuszpa (Housing Nantucket), Billy Cassidy, Steven Hollister

PUBLIC PRESENT ON ZOOM: Elizabeth Blaire (Housing Nantucket), Robert Liddle

I. Call Meeting to Order

Reema Sherry called the meeting to order at 12:33pm & reads Public Participation Guidelines.

II. Approval of Agenda

Dave Iverson moved to approve the agenda. Penny Dey seconded the motion.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Dave Iverson | Aye |
| 2. Penny Dey | Aye |
| 3. Brooke Mohr | Aye |
| 4. Meg Browers | Aye |
| 5. Shantaw Bloise-Murphy | Aye |
| 6. Reema Sherry | Aye |

Agenda adopted by 6-0 vote.

III. APPROVAL of Minutes

- Minutes from 11.1.22

Minutes amended to include edits:

- 1) In item IX, the number should read \$7,500, not \$75,000
- 2) Minor typos to be corrected

Penny Dey makes a motion to approve the Minutes with the edits as noted. Brooke Mohr seconded the motion.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penney Dey Aye
3. Brooke Mohr Aye
4. Meg Browers Aye
5. Shantaw Bloise-Murphy Aye
6. Reema Sherry Aye

Motion adopted by 6-0 vote.

IV. PUBLIC COMMENT for items not otherwise on the agenda

None.

V. CCAP/CFAP – ACTION

CFAP – Campese, 67 Milestone Rd.

Brooke Mohr makes a motion to approve the CFAP Application for the Campese household at 67 Milestone Rd. for up to \$10,000 pending closing costs. Seconded by Dave Iverson.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penny Dey Aye
3. Brooke Mohr Aye
4. Meg Browers Aye
5. Shantaw Bloise-Murphy Aye
6. Reema Sherry Aye

Motion adopted by 6-0 vote.

VI. Year-Round Definitions– DISCUSSION

Reema Sherry: My comment is I am a bit concerned that employment is such a large factor here. I think there are other ways of determining year-round status without bringing employment into the mix.

Shantaw Bloise-Murphy: We did have a component about if you are retired or not working, other items that can prove it. Such as voter registration, car registration, etc.

Brooke Mohr: Let's say someone works remotely and lives here, meeting the other criteria. Do you have to meet X number of these criteria? Or any number of them? Someone could have just moved here and not lived here very long and not worked here.

Penny Dey: My points are this too. Most point to employment on Nantucket. The majority of these bullets say that people have to work on Nantucket. If that is the intention, it needs to be consistent. And if it is, I would want to know why.

Meg Browers: I think we were trying to find the easiest ways for people to verify employment first. For retirees, you could do voter registration, car registration or in person affidavit. We just are bringing this forward to brainstorm and think it through with us, I'm open to back and forth discourse. It's an easy way to verify living here, but not a requirement, there are other ways to show you live here if you do not work here.

Penny Dey: So it is like a checklist or matrix. My other question is, would you be looking retroactively?

Meg Browers: In order to qualify, you have to have completed at least 12 months. Whatever matrix of criteria we decide on it. You can't qualify as year-round resident one month into living on Nantucket.

Dave Iverson: [To Vicki] Is all this on the up and up? Are we allowed to do this?

Vicki Marsh: It's problematic. We have to think about how we are going to implement this, where you propose to do this – a zoning bylaw for example. And then it will have to go to Town Meeting and be subject to oversight. So you have to think about it in terms of how to get it approved.

Dave Iverson: Are we as a group looking to define this for everything we do or for specific parts of our program? I'm trying to figure out who we are trying to weed out, for lack of a better word.

Vicki Marsh: It has come up in discussion amongst Trustees in terms of trying to acquire these restrictions from "year-rounders" so that was one of the ideas for the implementation.

Dave Iverson: I think it is as simple as, how long have they occupied the house. We are targeting people who have lived here in their own house, could use that extra bump in income in exchange for the year-round restriction. We should talk to Andrew about creating an overlay district for affordable restrictions. It's a bigger question.

Brooke Mohr: For me, the purpose for this, is a voluntary agreement between someone and the Trust, in exchange for money. They are volunteering to abide occupancy rules. We aren't forcing this on someone. We are giving them money in exchange for them agreeing to these conditions. And when that property changes hands, the idea is those restrictions stay with the property, in perpetuity. The next person is then getting a less expensive home, because of the restrictions. Can we create a new market?

Penny Dey: I know Housing Nantucket already has definitions on year-round. Anne, are there ways of improving this?

Anne Kuszpa: Inclusion of the water/electric bill is really helpful. Most people comply. If are out of compliance and are ignoring our enforcement fines, it is difficult to collect zoning enforcement fines without going to court. We can do that, but we try to avoid it. So, if there's a way to impose fines, that is a way to strengthen the program.

Shantaw Bloise-Murphy: There were two groups. We were just working on the definition of year-round, we did not tie anything to it financially. We took definitions from groups around the island

and used their definitions and fused them, and thought about how people skirt around rules. And we also looked at Oak Bluffs, Vail, etc. who have programs like this.

Meg Browers: For our purposes, I don't want us to be afraid to define what "year-round" means according to the Affordable Housing Trust specifically. And as long as we keep it in our lane, I feel more comfortable establishing a definition that meets our needs. To Brooke's point, [if you don't want to access the incentives, that's fine. If you do, we need to define this].

Brooke Mohr: To me, the simplest criteria is you have to occupy the house X number of months. And then we have a way to prove and verify that you are complying with the month residency requirements.

There was continued discussion about possibilities of future programs, buying restrictions, etc. there was discussion to move this to another meeting, and focus on the Agenda item as written, which is a focus on just what the definition of "year-round" is, rather than what programs we are using it for, and parameters for those programs.

Brooke Mohr: Our goal here is to define something, for the purposes of programs we have in the future. We are trying to create housing for people who live here, and live here year-round. So, we just need to define that, and whatever program we have uses that definition.

Meg Browers: Going to a bottom line. Is 10 [out of 12] months enough? Is it too little?

Dave Iverson: I think 10 months is good. I think the verification is easy, the [compliance] is what is going to be the struggle.

Brooke Mohr: I agree. It leaves room for aging people to visit grandchildren, etc.

Reema Sherry: I'm good with 10 months.

VII. Rental Incentives Program – DISCUSSION

Brooke Mohr: We started getting into the weeds with this a bit. I think maybe we aren't ready for this after the conversation on year-round definitions. I think we should figure out, what are we trying to achieve with this? And then you can work back from that and create a program. Is it moving units that are shuffle houses? Is it moving short term rentals to year-round? Who are we trying to incentivize and what is the goal? We need to define the goals. I would be interested in this group coming back together and creating a list of goals we can present to the Trust and then figuring it out if it works.

Reema Sherry: Increasing the stock of year-round rentals would be a huge goal for me. And there are a lot of people who rent below market rate, year-round, it would be nice to incentivize that.

Penny Dey: I like the group's idea of a small pilot program.

Dave Iverson: Yes, we need to take a close look at what we are trying to achieve and how viable that is. Is it wiser to incentivize new builds as year-round rentals? I think it is an interesting discussion. Competing against short-term rentals is not the best use of our money.

VIII. Warrant Article to Codify Income Limits Served by Trust – REVIEW & DISCUSSION

Vicki Marsh: I've changed the purpose in the Trust to define both "affordable" and "attainable." Affordable at less than 100% AMI, and you go up to 240% AMI for attainable. That is the only change for the Trust. Does this meet your approval?

Penny Dey: On the 240%. Does it need a bottom threshold? Does it need to say 101% to 240%?

Vicki Marsh: I defined the affordable at 100% or less, so the next step is above 100% to 240%.

Penny Dey: Can we say Area Median Income?

Vicki Marsh: Yes.

Brooke Mohr: We should vote to adopt this Article and then recommend its inclusion on the Warrant by the Select Board. And we should include it as an Agenda item for the Select Board.

Penny Dey makes a motion to approve the Warrant Article language subject to adding "Area Median Income." Brooke Mohr seconds the motion with a friendly amendment of: We recommend this Article subject to the addition of the phrase "Area Median Income" to the Select Board for inclusion on the 2023 Annual Town Meeting Warrant.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Dave Iverson | Aye |
| 2. Penney Dey | Aye |
| 3. Brooke Mohr | Aye |
| 4. Meg Browers | Aye |
| 5. Shantaw Bloise-Murphy | Aye |
| 6. Reema Sherry | Aye |

Motion adopted by 6-0 vote.

Reema Sherry: Let's put the CPC Warrant Article on the next Agenda.

Brooke Mohr: May I suggest our Board agrees with the direction this is going and have someone on our Board attend the next CPC meeting? If I can be in the first 30 minutes of the Agenda, I can be there.

Ken Beaugrand: We can do that.

Trust Members agree with Brooke.

IX. Housing Nantucket Request Regarding 31 Fairgrounds Cost Adjustment-DISCUSSION.

Reema Sherry: Penny, I'll look to you.

Penny Dey: Steven do you want to give an overview?

Steven Hollister: There are 8 buildings to be built, there are 4 of them in place. All boxes to hit the site before the end of the year. Big picture, the Trust has allocated \$8.516 million. To date, half of that has been funded. Since last December, construction prices have continued to go up. You have been presented a request for another \$1.76 million. That request would bring the total project cost just shy of \$10.3 million. The cost of construction, exclusive of original development fees and special permit amendment fees, is about \$450 dollars per square foot. That includes landscaping, utilities, etc. so it is reasonable from that standpoint. This is a 21% increase to the cost of the land development, or 15% increase of the construction development.

Penny Dey: I want to point out that the first change order involved a expansion in scope and we structured that first price change as a loan to be amortized over years 51 to 57, potentially forgivable based upon certain milestones.

Steve: A portion of that was a grant, a portion was a loan.

Penny Dey: Does anyone have any questions for Steve? Billy, do you have anything to add to that?

Billy Cassidy: We will have all of the houses in our possession by December 7th. In anticipation of the final two barges.

Vicki Marsh: is the request that is being made a request for a loan of \$1.76 million? And have the terms been established?

Reema Sherry: It is requested as a grant in the letter. Penny, I forwarded Tucker's staff recommendation to you, which he sent to me. Maybe you can talk about that?

Penny Dey: Tucker has recommended a loan rather than a grant. This is his two cents: he is recommended we approve it as a potentially forgivable loan if certain benchmarks are met. He does suggest this new request should amortize coterminous with the last increase that was approved and that kicks in starting year 51 and run to year 57. If Housing Nantucket feels they need a longer amortization period, then we need to see their cash flow projections with assumptions.

Brooke Mohr: Do you remember what portion was a loan and what portion was a grant for the last request?

Anne Kuszpa: I will try to bring that up right now.

Brooke Mohr: I like the idea of at least a portion of it being a loan. And ongoing monitoring of projects like this is important for us with our partners. It's hard to know what is coming down the road 10 years, 50 years from now. I think having it as a loan is the financially responsible way to do it for municipal funding and tax dollars.

Steven Hollister: I have it. \$810k was a grant, \$956k was a loan broken up into two amounts (\$856k to cover redesigns and \$100k to cover solar infrastructure).

Dave Iverson: I agree that some of it should be grant (based on performance), and some of it a loan. The major portion as a loan.

Brooke Mohr: I don't mind the whole thing being potential forgiveness down the road. Last time, a portion was an immediate cash grant, and a portion was a loan for year 51-57, eligible for forgiveness. And we should put on a future agenda to establish potential forgiveness criteria.

Dave Iverson: Not opposed to that.

Penny Dey: I also want to suggest that whatever performance standards are developed are done in conjunction with Housing Nantucket.

Vicki Marsh: We still have to do loan documentation in order to fund these transactions. The prior loan documentation has not been done either. We can put something in the grant and loan agreements as to conditions or prior to finalizing those loan documents we can come up with the conditions before we vote and finalize this.

Penny Dey: I suggest the motion mirrors the previous request. Does someone want to make a motion?

Brooke Mohr: Last time we approved this, the inflationary portion was a grant, not a loan. This is again, through no fault of the developer, contractor, that these increases have come about.

Brooke Mohr makes a motion that the Affordable Housing Trust grant \$1,000,000 and structure a loan of \$763,212 to run concurrent with the other loan under the same condition in year 51-57 non-amortizing. And whatever other language Vicki can offer my motion.

Vicki Marsh add the language of: \$1,000,000 as a grant and the balance of the request as a loan, with the same terms that was in the original additional funding. Amortizing the loan for years 51-57, and non-amortized loaned up to the first 50 years. And possible forgiveness of the loan based upon satisfaction of conditions and performance standards that are to be determined.

Brooke Mohr accepts that language to add to her motion. Dave Iverson seconds the motion.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Dave Iverson | Aye |
| 2. Reema Sherry | Aye |
| 3. Brooke Mohr | Aye |
| 4. Meg Browers | Aye |
| 5. Shantaw Bloise-Murphy | Aye |
| 6. Penny Dey | Aye |

Motion adopted by 6-0 vote.

X. Dr. Dickler Award – DISCUSSION & ACTION

Reema Sherry: We need to have action on this. I think we should run this by the Select Board as far as having the announcement of the recipient at the Annual Town Meeting. Any discussion on this?

Penny Dey: This is limited to citizens, right?

Reema Sherry: I think it is. I don't think we want to award this to a staff member or Board Members.

Penny Dey: I was thinking of someone who formerly served.

Reema Sherry: I think that would make the person eligible.

Brooke Mohr: Could it be an organization?

Reema Sherry: I think it is meant to be an individual, a community member. One person.

Brooke Mohr makes a motion to adopt this language for the Dr. Dickler tribute award as written. Second by Penny Dey.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Dave Iverson | Aye |
| 2. Penney Dey | Aye |
| 3. Brooke Mohr | Aye |
| 4. Meg Browers | Aye |
| 5. Shantaw Bloise-Murphy | Aye |
| 6. Reema Sherry | Aye |

Motion adopted by 6-0 vote.

XI. Other Business

Upcoming Meetings:

- Regular AHT meeting: December 20, 2022 at 12:30pm (via Zoom).

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.

Penny Dey makes a motion to adjourn the regular meeting and go into Executive Session and not to return to regular meeting. Seconded by Dave Iverson.

ROLL CALL of those participating:

- | | |
|---------------------------|-----|
| 7. Dave Iverson | Aye |
| 8. Penney Dey | Aye |
| 9. Brooke Mohr | Aye |
| 10. Meg Browsers | Aye |
| 11. Shantaw Bloise-Murphy | Aye |
| 12. Reema Sherry | Aye |

Motion adopted by 6-0 vote.

Open Session Meeting ended at 2:02pm.

Submitted by:

Hayley Cooke

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

Tuesday, December 20, 2022

Remote Meeting *via* Zoom – 12:30pm

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

ATTENDING MEMBERS: Reema Sherry, Penny Dey, Meg Browers, Brian Sullivan

ABSENT: Shantaw Bloise-Murphy, Brooke Mohr, Dave Iverson

STAFF IN ATTENDANCE: Tucker Holland (Housing Director), Hayley Cooke (Housing & Real Estate Office Manager), Ken Beaugrand (Real Estate Specialist), Vicki Marsh (Town Counsel)

ANTICIPATED SPEAKERS: Anne Kuszpa, Dave Armanetti, Billy Cassidy, Laura Silber

PUBLIC PRESENT ON ZOOM: Robert Liddle, Mary Mack, Elizabeth Blair (Housing Nantucket), Jerome Vigil, Jason Graziadei, Leslie Rosandberg

I. Call Meeting to Order

Brian Sullivan called the meeting to order at 12:35pm & reads Public Participation Guidelines

II. Approval of Agenda

Reema Sherry moved to approve the agenda. Meg Browers seconded the motion.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penny Dey | Aye |
| 2. Meg Browers | Aye |
| 3. Reema Sherry | Aye |
| 4. Brian Sullivan | Aye |

Agenda adopted by 4-0 vote.

III. APPROVAL of Minutes

- Minutes from 11.15.22

Penny Dey made a motion to move the approval the minutes from 11.15.22 to the next meeting. Meg Browers Seconded.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penny Dey | Aye |
| 2. Meg Browers | Aye |
| 3. Reema Sherry | Aye |
| 4. Brian Sullivan | Aye |

Motion adopted by 4-0 vote.

IV. PUBLIC COMMENT for items not otherwise on the agenda

- Member of the public, Mary Mack, brought forth questions about adding travel fees to the boat to go towards affordable housing funding.
- Mary Mack asks about why we cannot have mobile units temporarily to allow for housing, similar to the town mobile office. Brian Sullivan noted the MA building code regarding housing and that the building in reference is used for office space.

Brooke Mohr arrives late at 12:40pm

- David Armanetti from Richmond announced that they have started marketing and outreach for the next phase of the Meadows II affordable Apartment Units. 24 Units are AMI restricted from 70%, 80%, 100% 120% levels. An information packet was shared during the meeting (on screen) with details about how to apply for these units and learn more information. As noted, info session is January 12, applications due by February and the lottery is second week of February. Application also available in person at the Richmond leasing office. These materials will also be distributed via the Town's social media and news and also in the Housing Newsletter, out January 11.
- Tucker Holland noted that the 100% AMI level units were already included in the first phase, and this is the second phase opening up.

V. Rental Incentives, Aspen Skiing Co. – DISCUSSION

Brian Sullivan: Mary Mack had sent along an email about efforts in Aspen to get people to offer more housing opportunities to people in the community – they offer incentives, such as ski passes. This might be an opportunity to explore other incentives that exist in our community. I think we can develop and flesh this out more over time.

VI. CCAP/CFAP – ACTION

CCAP – Abreu, 1 Aster Court

Penny Dey makes a motion to approve the CCAP Application for the Abreau household at 1 Aster Court. for up to \$15,000 pending closing costs. Seconded by Reema Sherry.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penny Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Meg Browers | Aye |
| 4. Brian Sullivan | Aye |
| 5. Reema Sherry | Aye |

Motion adopted by 5-0 vote.

VII. CFAP AND CCAP Program Summary – REVIEW & DISCUSSION

Item carried on to the next meeting.

VIII. Recent Request to DHCD for (Re)Certification of HPP (“Safe Harbor”) – UPDATE

Tucker Holland: I just wanted to confirm that we recently submitted 50 units mostly from the Violet Place Acceleration and two single family homes within the Sandpiper II development toward our new period of certification under our 2021 Housing Production Plan.

Brain Sullivan: What is the date that the Safe Harbor would run?

Tucker Holland: We anticipate it running from December 12 to December 11, 2024 if DHCD finds everything in order.

Brian Sullivan: So, this is a continuation of how many years of Safe Harbor we have been maintaining?

Tucker Holland: We entered into our first period of Safe Harbor the summer of 2019, have been in 3.5 years, this would increase Safe Harbor to 5.5 years. Next spring, we anticipate the new Safe Harbor number for DHCD. It could go up, it could go down depending on the 2020 census.

IX. Conditions for Additional Funding – 31 Fairgrounds – DISCUSSION & ACTION

The AHTF Members, Staff, and Town Counsel had a lengthy discussion about the loan and grant agreement conditions and interest rates. Highlights included below. Full discussion available for viewing via the meeting recording.

Vicki Marsh: At the last meeting Housing Nantucket came for a request for \$1.76 million. You voted to authorize a grant of \$1 million and a loan of \$760,000. You had said it would be on the same terms of the original request, based on performance standards. We did not discuss the conditions and performance standards at the last meeting. We need to come up with some conditions or terms that would govern whether this additional loan would be able to become a grant or the terms of it changed. I reviewed the simple standards such as them not being at fault with the loans, they keep the project in good condition, it is in compliance with DHCD standards, etc. I'm opening this to discussion to see if there are other conditions you find important. The other term is the interest rate – are we charging the same interest rate as in the prior loan?

Brian Sullivan: The term of this loan is 7 years, starts in year 51. If we are discussing interest, are we carrying interest between year 1 and 50, or only in the 7 years?

Vicki Marsh: That is part of what you need to determine.

Penny Dey: What was the interest rate on the first loan? Also, this is way in the future I want to make sure we aren't missing items because we aren't going to be here.

Tucker Holland: I wanted to clarify what Vicki said – we are the senior lender, we are the only lender.

Vicki Marsh: You are correct.

Brooke Mohr: I seem to remember the interest rate was half a percent. I could be corrected on that. To me, I prosed splitting this between a grant and loan is because the future is far away. A loan with some incentive for forgiveness gives some control over the long-term future of the project at the 50-year mark to the municipal authority.

Brian Sullivan: Any thoughts on the half percent? Some thumbs up here. We can come back to that. To your point Brooke and Penny, 50 years is a long time. The property owner will have a lot of equity by the time the property needs improvement. How do we want to handle this note if there is a refinance or line of equity? Do we want to allow that in the note? Is there a cost?

Vicki Marsh: I think we want to have a provision that says any refinancing, sale, transfer of interest is going to require the Town's prior written consent. That allows us to sit at the table and work things out. And then if we aren't satisfied, we don't approve it. And come up with a way to keep it viable, provide funding.

Brian Sullivan: Can I take it so far as, rather than just an approval opportunity, and option to meet at same terms? Approval or option? So that the Trust has the ability to exercise option to buy the project back.

Brooke: I'm good with that.

Brian Sullivan: We covered half a percent for interest, we covered transfer or approval, you covered some conditions? What else, Vicki?

Vicki Marsh: I would draft an amendment to the current documents regarding the terms.

Brian Sullivan: Do we want to have a summary report every 5 years of their DHCD compliance?

Vicki Marsh: I think that we get a copy of that anyway, I can make sure that is an additional condition.

Brooke Mohr: I'm worried about timing. We are now at the point where previous funds have been spent and these funds are needed to move the project forward. I don't think we can kick this down the road another month.

Vicki Marsh: We have to bear in mind we need to go back to the Select Board for their approval.

Brian: Are you able to finish the note in a manner that we can get it to the Select Board?

Vicki: I have to have things ready very quickly for the next executive session. It's doable. But don't you want to look at it yourselves before going to the Select Board?

Penny Dey: We can have a special meeting by Zoom if we need to, to review that.

Vicki Marsh: I can certainly get the documents done. I need you to look at them. And housing Nantucket has their counsel, I don't know if he will want to look at them. I will make this happen

for you guys. I can get the docs to you beforehand, then we can meet, then we need to get them to a Select Board meeting. Tucker, if you can see if we can get on an Agenda for January 5?

Brooke: Let's get this on the scheduled to get it posted.

A special meeting will be held on Wednesday, December 28th.

Penny Dey: I would like to ask on 31FG that the construction committee set up a meeting. Billy, Steve, Tucker and myself. After Christmas.

Brian Sullivan: Are there any other items or conditions you want to review with us regarding this document?

Vicki Marsh: Not at this time.

Billy Cassidy: I don't know if this is part of the matter, but I was told by Mr. Hollister that there was cash on hand at the Trust that can augment what Housing Nantucket has available that can patch through this period. Is there any such thing? I was told there was \$600k+ available.

Vicki Marsh: I'm not aware of what funds Steve Hollister is referring to, but any Funds that are available in the Trust account – a Warrant needs to be issued with the Select Board to release the funds and through the finance director. It's not just a bank account we can release funds out of.

Tucker Holland: I'm not aware of a \$600k+ request that Steve referenced there. We did get a request a few weeks ago from Housing Nantucket for \$2.8 million. That would put us above the original \$6.1 million that for which there is underlying documentation. To release further funds, we have to have this new loan and grant agreement/amendment in place first to release additional funds.

Billy Cassidy: I may be misunderstanding. I don't want to mispresent what Mr. Hollister was saying.

Brian Sullivan: Let's put a pause on this. We have to work through the new agreements before further funds are released.

Anne Kuszpa: So of the \$2.8, \$1.858 is attributed to a change order, the rest is already approved. Maybe we can split them into two invoices, and put it in a change order invoice and an already approved amount. I don't believe we are actually over the original \$6 million.

Brian Sullivan: Can you reach out to finance and see what they are tracking on this original number? I think this is where we are leading in this conversation. If there is any continued discussion, we can talk about it next Thursday.

Anne Kuszpa will potentially be asked to split the invoice into two by Friday – one for the approved amount and one for the change order.

X. RFP Timelines - DISCUSSION

Vicki Marsh: We are thinking of having you all look at the RFP drafts again and get us any comments you have and then we will give them a full consideration and ready for end of January.

Brian Sullivan: Is there a suggestion to have a special meeting for these RFPs toward the end of January?

Tucker Holland: I think that Vicki and I had discussed, was that we would recirculate the present draft for comment by the Board, which we would like to receive by January 2. The plan then is to have them ready for review and issuance following the regular meeting on January 17.

Brian Sullivan: If I can suggest end of the day January 5.

XI. Warrant Articles regarding serving up to 240% AMI – DISCUSSION & ACTION

- **Trust documentation**
- **CPC recommendation**

Vicki Marsh: Both of these warrant articles we address at the last meeting, there was one change with respect to the Declaration of Trust Amendment to the language to write in 'Area Median Income'. This article is the exact same otherwise. This amendment increases funding up to 240% AMI.

And the home rule petition – I believe Ken is taking that to the CPC for approval.

Meg Browers leaves the meeting.

Ken Beaugrand: Brooke is going to be bring that to the CPC.

Brooke Mohr: I drafted a document to the CPC for their January agenda. I am preparing an explanation of why we are proposing a change to their enabling documents. We will be asking for feedback from them. The idea is to have the AMI limits for the use of funds consistent across all of our borrowing authorizations, enabling documents, Trust documents, etc. so it increases our flexibility of funding. We can take action today on the change in our Declaration of Trust, but not on the CPC warrant.

Brooke Mohr makes a motion to recommend to the Select Board that a home rule petition regarding the AHT Declaration of Trust Amendment, as written by Town Counsel, be included on the Annual Town Meeting Warrant.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penney Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Brian Sullivan | Aye |
| 4. Reema Sherry | Aye |

Motion adopted by 4-0 vote.

XII. Recommendations to Select Board for Funding in FY 2024 – DISCUSSION & ACTION

Brooke Mohr: The conversation around funding affordable and attainable housing on Nantucket will revolve this year around a citizen warrant article that has been resubmitted, which recommends setting aside 2/3 of the room occupancy tax to a stabilization fund for affordable housing. You may remember this article came up 2 years ago, it was article 38. The challenge is that it is put in a stabilization fund and then requires a 2/3 vote at a future Town meeting to pull that money back out to be utilized or spent. So, it is a somewhat inflexible form of funding. At the Select Board last week, we had a preliminary budget presentation from the TON Finance Director. It is under consideration to bring an article that would be a permanent override for housing. A permanent override (example: the ongoing operating expenses for Our Island Home). The Finance Director has suggested to add a permanent override of \$5 million per year to fund the AHTF on an ongoing basis. This supplies an ongoing revenue stream for our work at \$5 million per year, in perpetuity. This is a significant change in funding strategy on the part of Town Administration. I find this interesting and exciting.

Brian Sullivan: The way the agenda item was written was a request to the Select Board for Funding for FY 2024. This is coming the other direction. This is a recommendation from Finance for the Trust. If this is a general override and doesn't get approved, are we asking for other budget monies?

Brooke Mohr: Yes. I have asked Libby and Brian for some clarification on a few things such as will this replace the \$2 million/year that is already allocated in general funding? And so, my request to them is please don't depend on the override passing to replace our funding this year, and the following year there is a conversation of does this replace the \$2 million dollars?

Brian Sullivan: I think this is a discussion, but there's not an action. I think we need to be making a future agenda for budget requests for Funding.

Penny Dey: What is the deadline for that, Tucker?

Tucker Holland: Town Administration has incorporated into the budget the same level of funding that we have had in recent years. The idea is that given the use of some of the capital budget funds that are allocated to the Trust, there are remaining funds that would support, for example, another \$10 million bonding authorization. That is what I talked to Libby about regarding the status quo. What Brooke brought up was a brand-new item.

Penny Dey: One final note: I don't think the AHT should be taking positions on citizen warrant articles at Town Meeting.

Discussion to be continued at the next meeting.

XIII. Introduction of Down Payment Assistance Pilot Program - DISCUSSION

Brooke Mohr: I just want to introduce the concept with the details to come. We've been tossing this around for a long time. The inspiration to move on this now is twofold, there is the rising interest rate market, making people's ability to qualify for mortgages more difficult than ever. The applicants

coming to Beth Ann Meehan's desk at Cape Cod 5 will not be able to purchase homes at 80% AMI and 175% AMI. The mortgages payments are so much higher because of interest rates. So applicants cannot be approved for the mortgages. There is a motivation around those units in particular (referencing Sandpiper II). Tucker and Beth Ann and I met, and we came up with a rough idea for a down payment assistance program. That the Trust might add a second mortgage similar to our CCAP that would loan \$2 for every down payment dollar that the buyer is able to pay on their own, up to a certain cap. I don't think we are ready for a longer conversation today, but I want to start the conversation.

Brian Sullivan: Great. And to your point, we have been talking about this for years. It would be great to move on this.

Penny Dey: I agree it is critical need.

Reema Sherry: Would this be from the operational budget?

Tucker Holland: First of all, we are awaiting details from Beth Ann, so we need that. But these are not small sums of money. This would not come from our operational budget, but the capital budget. However, typically, we are getting interest or a deed restriction – Vicki can guide us on if the current funds, those types of funds can be used, because these are already deed restricted homes.

Vicki Marsh: It cannot come from operational funds. It does need to come from some other funding sources. I have a question about your closing cost program – where are those funds coming from? We need to think about where we are going to get this money. If we want to establish something that is going to enable us to do that, some sort of warrant article funding, then we need to think about that.

Brian Sullivan: Just so I am clear, we don't have an existing bucket to pull these funds from for what we are talking about now for these units?

Vicki Marsh: I don't think so. I would need to look at that bonding article again. I am very doubtful that the most recent bonding would allow us to do that. We need to find another mechanism for the next Town meeting.

Brooke Mohr: That will be too late for these specific houses.

Reema Sherry: I think we need to look and see what local grants are available that we could apply for.

This discussion will be continued at a future meeting.

XIV. Other business

Upcoming Meetings:

- Regular AHT meeting: January 17, 2022 at 12:30pm.
- Special Meeting: December 29, 2022 at 10:00am.

XV. Board Comments

Brooke Mohr: Should we consider going to twice monthly meetings leading up to Town Meeting? What about the 1st and 3rd Monday of the month?

Penny Dey: Can we start that in February? February 7th.

Tucker Holland: Why don't Hayley and I circulate a proposed schedule for 2023.

Brian Sullivan: One comment that I have – the repricing of the Covenant levels is something we are going to see happen. I believe after January 1. This may be one of the first years we will see this come down with the significant rise in interest rates.

Brooke Sullivan: I suggest that once the reprice happens, Anne do an update at the next meeting.

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

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

Penny Dey makes a motion to adjourn the regular meeting and go into Executive Session and not to return to regular meeting. Seconded by Reema Sherry.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penney Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Reema Sherry | Aye |
| 4. Brian Sullivan | Aye |

Motion adopted by 4-0 vote.

Open Session Meeting ended at 2:02pm.

Submitted by:

Hayley Cooke

NANTUCKET AFFORDABLE HOUSING TRUST

~~SPECIAL MEETING MINUTES~~

Thursday, December 29, 2022

Remote Meeting *via* Zoom – 10:00am

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

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

ABSENT: Shantaw Bloise-Murphy, Meg Browsers, Dave Iverson

STAFF IN ATTENDANCE: Tucker Holland (Housing Director), Hayley Cooke (Housing & Real Estate Office Manager), Ken Beaugrand (Real Estate Specialist), Vicki Marsh (Town Counsel)

ANTICIPATED SPEAKERS: *None.*

PUBLIC PRESENT ON ZOOM: Billy Cassidy, Robert Liddle, Mary Mack

I. Call Meeting to Order

Brian Sullivan called the meeting to order at 10:02am & reads Public Participation Guidelines.

Meg Browsers arrives late at 10:04am.

II. Approval of Agenda

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

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penney Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Reema Sherry | Aye |
| 4. Meg Browsers | Aye |
| 5. Brian Sullivan | Aye |

Agenda adopted by 5-0 vote.

III. Additional Funding and Associated Documentation Regarding 31 Fairgrounds–REVIEW & ACTION

Vicki Marsh: These will be prepared in two separate batches, rather than just one. I have two sets of documents. The first is an amendment to the original, and MOU, a promissory note, a grant and loan agreement and modification of the mortgage for the first request for funding. For the second request I have the second amendment to the MOU, second promissory note, etc. There are 8 documents here.

Vicki reviewed the documents and the terms of the documents, as discussed at the prior Trust meetings.

Brooke Mohr: I just have a quick question about amortization between year 51-57. Does that mean no interest accrues until year 51, or it accrues but is not payable until year 51?

Vicki Marsh: My understanding is that it accrues no interest until year 51.

Tucker Holland: This first loan, everything is correct in terms of the numbers. It is the second loan that we will get to that has a \$212 difference.

Penny Dey: A question for Tucker. What percentage of these two are loans and what percentage are grants?

Tucker Holland: After we incorporate the second additional amount, 82% percent of the total for construction funding is a loan, and 18% is a grant.

Brooke Mohr: And that is outside of the grant for the acquisition of the land?

Tucker Holland: Correct, that does not include the land.

Vicki: So, the second transaction is for a total of \$1,763,000; \$1 million as grant, \$763k as a loan. Same terms apply for the second request as they do for the first. The total amount on the loan for the mortgage is \$8,469,000. These two loans do not amortize until years 51-57 and will be started to be paid at that time.

Tucker Holland: I want to make sure the number we are working with is \$1,763,212.

Vicki: I will make that change.

Penny Dey: Should this be voted as one vote or two votes?

Vicki Marsh: Two.

Brian Sullivan: Vicki, can you provide language or the motion?

Vicki Marsh: We hereby authorize to approve and authorize a request for additional funding for \$1,766,000 in the form of a grants and loans and we hereby authorize the execution of the documents to accomplish said purpose. We also authorize the chair or the vice chair to execute the documents on behalf of the Trust.

Brooke Mohr moves that we approve and authorize the execution of the first amendment to the MOU, the first amendments to the loan and grant agreement, the first amendment to the modification of the mortgage, and first amendment to the promissory note in the total amount of \$1,766,000 to be executed by the Chair or Vice Chair. Penny Dey seconded the motion.

ROLL CALL of those participating:

- | | |
|-------------------|-----|
| 1. Penney Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Reema Sherry | Aye |
| 4. Meg Browers | Aye |
| 5. Brian Sullivan | Aye |

Motion adopted by 5-0 vote.

Brooke Mohr moves that we approve and authorize the second amendment to the MOU, the second amendments to the loan and grant agreement, the second amendment to the mortgage, and second amendment to the promissory note in the total amount of \$1,763,212 to be divided as \$1 million of a grant and \$763,212 as a loan to be executed by the Chair or Vice Chair. Reema Sherry seconded the motion.

ROLL CALL of those participating:

- | | |
|-----------------|-----|
| 1. Penney Dey | Aye |
| 2. Brooke Mohr | Aye |
| 3. Reema Sherry | Aye |
| 4. Meg Browers | Aye |

5. Brian Sullivan Aye

Motion adopted by 5-0 vote.

IV. Other Business

Upcoming Meetings:

- Regular AHT meeting: January 17, 2023 at 12:30pm (Zoom Meeting)

V. Board Comments

Brooke Mohr: I just wanted to speak to the Board about my thinking on the Amendment of our Trust document language to further define affordable and attainable housing. We had also proposed the home rule petition be added to the warrant to have the CPC enabling legislation amended in the same way. I think the timeline on that is too tight. Given we are not requesting new funding from the CPC this year, I feel we have plenty of time to engage in a longer conversation with the commissioners, legislators, and other communities. Heading to the State house with a united front from other communities on CPA language change might make that process easier and we need some more time to sort that out.

Ken Beaugrand: In my role as the Chair of CPC, I thank you for that.

VI. Adjourn

Brooke Mohr makes a motion to adjourn the meeting at 10:25am. Seconded by Penny Dey.

ROLL CALL of those participating:

1. Penney Dey Aye
2. Brooke Mohr Aye
3. Reema Sherry Aye
4. Meg Browers Aye
5. Brian Sullivan Aye

Motion adopted by 5-0 vote.

Open Session Meeting ended at 10:25am.

Submitted by:
Hayley Cooke

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

Wednesday, January 11, 2023.

Remote Meeting *via* Zoom and in person at 4 Fairgrounds Rd. – 5:30pm

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

ATTENDING MEMBERS: Brian Sullivan, Brooke Mohr, Penny Dey,

ABSENT:

STAFF IN ATTENDANCE: Tucker Holland (Housing Director), Hayley Cooke (Housing & Real Estate Office Manager), Ken Beaugrand (Real Estate Specialist), Vicki Marsh (Town Counsel)

I. Call Meeting to Order

Brian Sullivan called the meeting to order at 8:00pm to recognize a quorum of AHTF Board Members present.

II. Attend Select Board meeting re: Affirmation of January 5, 2023 Select Board Executive Session Vote Regarding Request for Additional Funding for 31 Fairgrounds Road Affordable Housing Project.

Tucker Holland gave a summary of the request for additional funding that was presented to the Affordable Housing Trust regarding the 31 Fairgrounds Road project.

The Select Board Chairwoman, **Dawn Holdgate**, reviewed the affirmative vote of 3-2 to support the AHT providing additional funding for 31 Fairgrounds Road Affordable Housing Project, which was voted on at the January 5, 2023 Executive Session.

Matt Fee asked a few clarify questions regarding locked in pricing for commodity portion upon request with storage.

Billy Cassidy explained that he rejected this option, as it requires to pay for the commodities and then shipped and stored – and then when the project starts it must be transported and shipped, incurring additional labor costs. He would make the same decision again today.

Dawn Holdgate, reiterated that there would not need to be an additional vote on the matter.

III. Adjourn.

Brian Sullivan adjourned the meeting at 8:06pm.

Submitted by: Hayley Cooke

Article 4

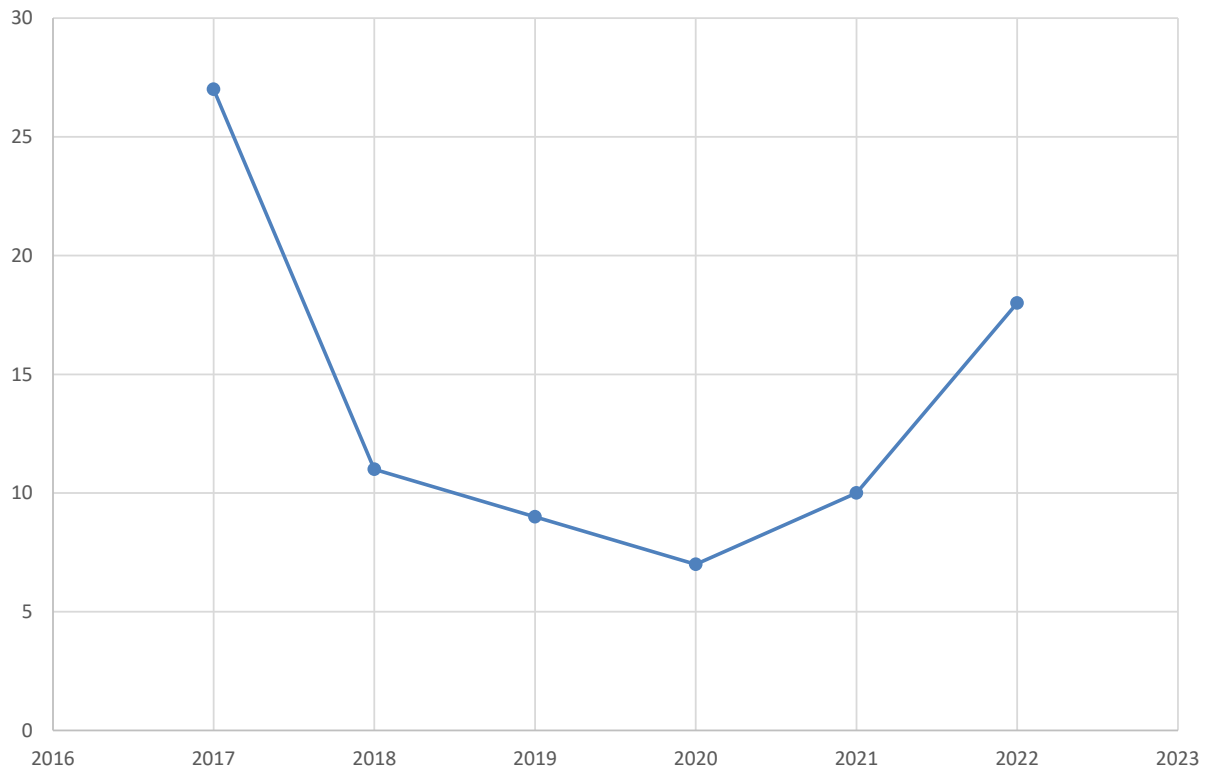
(Affordable and Year-round Housing Stabilization Fund)

We, the undersigned registered voters of the Town of Nantucket, hereby submit the following article for inclusion in the Warrant for the 2023 Annual Town Meeting:

To see if the Town will vote to dedicate, without further appropriation, into a special purpose Affordable and Year-Round Housing Stabilization Fund, created herein in accordance with M.G.L., Chapter 40, Section 5B, which was accepted by the Town at the 2017 Annual Town Meeting, for the purpose of meeting affordable and year-round housing needs, two-thirds (2/3) of the local option rooms excise tax that the Town receives on the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel, pursuant to its acceptance of M.G.L., Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018; provided that said dedication shall take effect beginning in fiscal year 2025;

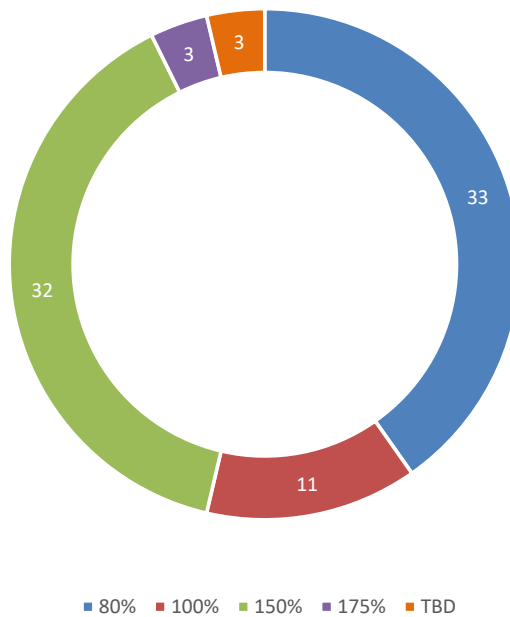
or take other action with regard thereto.

Number of CCAPs Approved by Year



Households Served by AMI level

Total = 82



31 Fairgrounds, projected rent rolls

6 January 2023

(includes utility allowance)

Unit #	BR	AMI	Monthly Rent	Fair Market
1	3	80%	\$ 2,354	\$3,219
2	3	150%	\$ 3,219	\$3,219
3	2	80%	\$2,118.75	\$2,618
4	1	80%	\$ 2,119	\$2,009
5	2	80%	\$ 2,119	\$2,618
6	2	80%	\$ 2,119	\$2,618
7	2	50%	\$ 1,541	\$2,618
8	2	50%	\$ 1,541	\$2,618
9	2	110%	\$ 2,618	\$2,618
10	2	110%	\$ 2,618	\$2,618
11	2	110%	\$ 2,618	\$2,618
12	2	150%	\$ 2,618	\$2,618
13	2	150%	\$ 2,618	\$2,618
14	2	150%	\$ 2,618	\$2,618
15	1	80%	\$ 1,884	\$2,009
16	1	80%	\$ 1,884	\$2,009
17	2	80%	\$ 2,119	\$2,618
18	1	50%	\$ 1,370	\$1,761
19	1	110%	\$ 2,009	\$2,009
20	1	110%	\$ 2,009	\$2,009
21	1	150%	\$ 2,009	\$2,009
22	1	150%	\$ 2,009	\$2,009
Totals =	38		\$ 48,131	

# of units	household income
3	50% AMI
8	80% AMI
5	110% AMI
6	150% AMI

# of units	BRs
2	3 brs
12	2 brs
8	1 br

(with 50% AMI units)

\$ 48,131	monthly rental income
\$ 563,127	annualized rental income (97.5% occupancy)
\$ 404,062	annual operating expenses (estimate, based on FY22 actuals)
\$ 152,604	annual debt (\$6.75MM loan 0.5% over 50 years)
\$ 6,461	net profit/loss per year

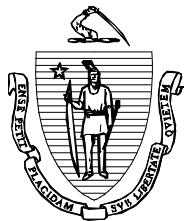
(with 50% AMI units)

\$ 48,131	monthly rental income
\$ 563,127	annualized rental income (97.5% occupancy)
\$ 404,062	annual operating expenses (estimate, based on FY22 actuals)
\$ 191,472	annual debt (\$8.469 MM loan 0.5% over 50 years)
\$ (32,407)	net profit/loss per year

AVG rent/unit \$ 2,187.75

green cells have been replaced by fair market rent rather than what's affordable by formula

FY23 Fair Market Rent		FY 2022 Income Limits				
1BR	\$2,009	Nantucket County, MA				
2 BR	\$2,618	Median Family Income		\$136,100		
3 BR	\$3,219					
		Persons in Family	1	2	3	4
		Very Low (50%) Income Limits (\$)	\$47,950	\$54,800	\$61,650	\$68,500
		Affordable Rent	\$1,199	\$1,370	\$1,541	\$1,713
		Low (60%) AMI	\$57,540	\$65,760	\$73,980	\$82,200
		Affordable Rent	\$1,439	\$1,644	\$1,850	\$2,055
		Low (80%) Income Limits (\$)	\$65,950	\$75,350	\$84,750	\$94,150
		Affordable Rent	\$1,649	\$1,884	\$2,119	\$2,354
		100% AMI	\$95,900	\$109,600	\$123,300	\$137,000
		Affordable Rent	\$2,398	\$2,740	\$3,083	\$3,425
		110% AMI	\$105,490	\$120,560	\$135,630	\$150,700
		Affordable Rent	\$2,637	\$3,014	\$3,391	\$3,768
		150% AMI	\$143,850	\$164,400	\$184,950	\$205,500
		Affordable Rent	\$3,596	\$4,110	\$4,624	\$5,138



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lt. Governor

January 11, 2023

Mr. Jason Bridges, Chair
Nantucket Select Board
16 Broad Street
Nantucket, MA 02554

RE: Housing Production Plan - Certification Approved

Dear Mr. Bridges:

The Department of Housing and Community Development (DHCD) has reviewed the Town of Nantucket's December 13, 2022 request for certification of compliance with its Housing Production Plan (HPP). For a municipality to be certified the following needs to occur:

- Housing units affordable to low- and moderate-income households and eligible for inclusion on the Subsidized Housing Inventory (SHI) have been produced during one calendar year, the same calendar year¹ for which certification is requested during the initial year of SHI eligibility,
- Units must total at least 0.5% (24 units for Nantucket) of year-round housing units for one year of certification. A total of 1% of year-round housing units (49 units for Nantucket) are needed for a two-year certification,
- The units were produced and are eligible in accordance with the approved HPP and DHCD's c. 40B Guidelines.²

DHCD makes the following findings:

- Nantucket has a valid HPP. The effective date for the HPP is September 24, 2021, the date DHCD received a complete plan submission. The HPP has a five-year term and will expire on September 23, 2026.
- The two projects for which certification is requested are as follows: (1) Richmond Meadows II (SHI ID# 10296), Violet Place Acceleration phase. This phase consists of 48 rental units that became initially eligible for the SHI upon building permit issuance. Building permits were issued for 8 of the units on September 21, 2022, and the remaining 40 units were issued building permits on December 12, 2022. (2) Richmond Sandpiper II (SHI # 10749). This project consists of 2 homeownership units that became initially eligible for the SHI upon building permit issuance on August 24, 2022.
- These projects total 50 SHI eligible units, enough for a two-year certification period (49 units required).

¹ Up to January 10th of the following year.

² <https://www.mass.gov/files/documents/2017/10/10/guidecomprehensivepermit.pdf>.

- The housing developments are consistent with the production goals outlined in the Nantucket Housing Production Plan.

This certification is effective for a two-year period beginning on December 12, 2022 (date of building permit issuance for which the numerical target for calendar year 2022 was achieved) to December 11, 2024. Please note that all units must retain eligibility for the SHI for the entire certification period. If units are no longer eligible for inclusion on the SHI, they will be removed and will no longer be eligible for certification. This action may affect the term of your certification. I have included an updated list of SHI eligible units. Nantucket's current SHI stands at 6.78%.

I applaud your efforts to plan for the housing needs of Nantucket. Please contact Phillip DeMartino, Technical Assistance Coordinator, at (617) 573-1357 or Phillip.DeMartino@mass.gov if you need assistance as you implement your HPP.

Sincerely,

A handwritten signature in blue ink, appearing to read "Louis Martin", with a stylized flourish at the end.

Louis Martin
Director, Division of Community Services

cc: Senator Julian Cyr
Representative Dylan A. Fernandes
Libby Gibson, Town Manager, Town of Nantucket
John Giorgio, KP Law, Town Counsel, Town of Nantucket
Vicki Marsh, KP Law, Town Counsel, Town of Nantucket
Tucker Holland, Housing Director, Town of Nantucket
Andrew Vorce, Director of Planning, Town of Nantucket

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Nantucket

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
2055	Miacomet Village I	3 Manta Drive	Rental	10	Perp	Yes	DHCD
2056	Miacomet Village I	3 Manta Drive	Rental	12	Perp	Yes	DHCD
2057	Academy Hill School	Westminster St.	Rental	27	2033*	No	DHCD MassHousing MassHsg/HUD
2058	Landmark House	144 Orange St.	Rental	18	2023*	No	RHS
2059	Landmark House II	Orange St.	Rental	8	2041	No	FHLBB HUD
2060	Miacomet Village II	Norquarta Drive	Rental	19	05/01/2047	Yes	FHLBB RHS
2061	Nantucket Housing Authority	Benjamin Drive	Rental	5	Perp	No	HUD HUD HUD
4383	DDS Group Homes	Confidential	Rental	0	N/A	No	DDS
4588	DMH Group Homes	Confidential	Rental	5	N/A	No	DMH
7610	Norquarta Drive	Norquarta Drive	Rental	2	perp	No	DHCD
7611	Dartmouth Street	Dartmouth Street	Rental	2	perp	No	Town of Nantucket
7612	Norwood Street	Norwood Street	Rental	1	perp	No	Town of Nantucket

1/9/2023

Nantucket
Page 1 of 2

This data is derived from information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Nantucket

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
7613	Irving Street	Irving Street	Rental	1	perp	No	Town of Nantucket
7614	Clarendon Street	Clarendon Street	Rental	1	perp	No	Town of Nantucket
9086	Abrem Query	2-4-6-8 Folger Ave	Ownership	7	Perp	YES	FHLBB
9087	Beach Plum Village	15-19 Rugged Road & 6-8 Scotts Way	Ownership	10	Perp	YES	MassHousing
10262	Ticcoma Way	Ticcoma Way	Rental	1	Perp	NO	DHCD
10263	Sachem's Path I and II	95 Surfside Road, Wapossett Circle & Nanina Drive	Ownership	10	Perp	YES	DHCD MassHousing
10295	7 Surfside Road	7 Surfside Road	Rental	4	Perp	NO	DHCD
10296	Meadows II	Davkim Lane	Rental	162	Perp	NO	DHCD
10297	Surfside Crossing	3, 5, 7 & 9 South Shore Rd	Ownership	0	Perp	YES	MassHousing
10590	Benjamin Drive - Habitat for Humanity	Benjamin Drive	Ownership	3	Perp	YES	DHCD
10591	31 Fairgrounds	31 Fairgrounds	Rental	22	Perp	NO	DHCD
10749	Sandpiper II	Old South Road	Ownership	2	Perp	NO	DHCD
Nantucket Totals				332	Census 2010 Year Round Housing Units		4,896
					Percent Subsidized		6.78%



TOWN OF NANTUCKET
REQUEST FOR PROPOSALS (RFP) DRAFT
FOR AFFORDABLE HOUSING DEVELOPMENT
AT 7 AMELIA DRIVE
Version 1/12/23

IMPORTANT DATES

-RFP Issuance:

-Inquiries Deadline: _____, 2023 at 1:00 p.m.

-Proposal Submission Deadline: _____, 2023 at 1:00 p.m.

-Proposal Presentations: _____, 2023 at 1:00 p.m.

-Note: all respondents to the RFP who meet Minimum Threshold Criteria will be asked to present their project proposal to the Review Committee

Developer Selection: intended to be made by _____, 2023

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

I. Request for Proposals

The Town of Nantucket (the "Town") is seeking proposals from qualified developers for the development, within local zoning, and ongoing management of no more than three (3) units of year-round permanently restricted housing on a portion of Town-owned land located at 7 Amelia Drive, Nantucket. The portion of the land to be developed contains approximately seven thousand seven hundred and fifty-five (7,755) square feet. (Being a portion of Lot 23 Map included in Attachment A – the "Property"). A copy of the deed to the Town-owned land recorded with Nantucket County Registry of Deeds in Book 1704, Page 245, is attached as Attachment B

The purpose of this RFP is to select a developer with demonstrated experience and capacity to develop and manage a residential development project that best addresses the needs and goals of the community as described in this RFP. The Town anticipates that proposers and/or members of their respective development teams will have demonstrated successful experience with developing and maintaining affordable housing, as well as with programs providing subsidy and services for such development.

II. Proposal Submission

The Town 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 are incorporated herein by reference.

All proposals must be received by : _____ at 1:00 p.m. and submitted to:

Town of Nantucket
Attn: Procurement Officer/ 7 Amelia Drive Nantucket Housing Proposal
Town & County Building
16 Broad Street
Nantucket, MA 02554

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

1. Cover page labeled "7 Amelia Drive Nantucket Housing Proposal." The cover page should also identify the development entity, the primary contact person and all contact information;
2. All required documents, completed and signed by a duly authorized signatory;
3. One clearly marked original and twelve (12) unbound and organized copies in a format that is easily copied; 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 (1pm on _____, 2023). Modifications must be submitted in a sealed envelope labeling the Modification and must reference the original RFP proposal.

Proposals will be opened pursuant to the provisions of M.G.L. c. 30B, §6 (d) at 10:00 a.m. on _____. A proposer may not change any provision of the proposal after the receipt deadline.).

The Town reserves the right to reject any or all proposals or to cancel this RFP if in the Town's sole discretion, it is determined to be in the best interest of the Town.

All inquiries should be made via e-mail and directed to: procurement@nantucket-ma.gov no later than 1:00 p.m., _____, 2023. Inquiries should have a subject line entitled:

PAGE 2

7 Amelia Drive Nantucket Housing RFP Inquiry. Any inquiries after such date will not be accepted. All inquiries and responses will be shared with all Registered Proposers via e- mail.

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 no later than _____, **2023 at 1:00 p.m.** with your name, organization, contact e-mail and indicate in the subject line: *Registered Proposer – 7 Amelia Drive Nantucket Housing RFP*. As inquiries are made, answers will be provided as expeditiously as possible to all Registered Proposers at the time.

The Town makes 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, prior sale, lease or financing and withdrawal without prior notice, and changes to, additional, and different interpretations of laws and regulations.

Proposers' Responsibility for Due Diligence: *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.*

Commented [VM1]: No site tour provided for.

III. Development Objectives

The Town is seeking proposals to build and maintain a maximum of three (3) housing units on the site as permanently restricted year-round housing. While not required, the inclusion of commercial space for a nonprofit enterprise will be considered. The priority is achieving the maximum number of housing units.

In order to assess housing needs on Nantucket, the Town has completed a study and its findings are found in the certified 2021 Housing Production Plan (Attachment C). It is the Town's desire to achieve, an overall bedroom mix, including the maximum number of studio and one (1)-bedroom units which will be permitted based on the site's capacity, good site planning, storage, parking, and landscaping considerations, and the market and financial feasibility of an affordable housing project. The proposed unit mix must also be able to receive Department of Housing and Community Development (DHCD) approval for the inclusion of one hundred percent (100%) of the units in the Town's Subsidized Housing Inventory (SHI) and any DHCD approvals necessary to receive any requested state and/or federal subsidy funds, as applicable.

Commented [VM2]: Is this the most current Housing Production Plan?

The development will be subject to a Ground Lease (see example in Attachment H) and Development Agreement (see example in Attachment I) in forms that are acceptable to the Town.

Affordability

One hundred (100%) percent of the units must be rented to income eligible households earning one hundred (100%) percent or less of the area median income (AMI) for Nantucket County and meet the requirements for all of the units to be eligible for inclusion on the DCHD SHI list. The Town would also seek to have the project eligible for Local Preference, provided it is approved by DHCD.

The AMI for Nantucket County will be based upon the income data published annually by the U.S. Department of Housing and Urban Development (HUD), adjusted for household size.

The Town will enter into a long-term lease of the property to the successful proposer, with a restriction that will ensure that the housing remains affordable in perpetuity or the longest term allowed by law. The successful proposer will enter into a Regulatory Agreement in a form acceptable to DHCD and the Town and will record a restriction preserving the affordability in perpetuity or the longest term allowed by law.

Unit Types

It is the Town's preference that the development reflects the Nantucket community aesthetic and provides housing for a range of family sizes, including studio/one-bedroom units, while paying particular note to the areas of greatest need as articulated in the 2021 Housing Production Plan.

Commented [VM3]: Is this the most current HPP?

Building Design and Aesthetics

The development's design should reflect the historical design and character of Nantucket and be an example of superior exterior and interior design. Proposers are encouraged to use their creativity and experience in building design, massing, site layout, parking, landscaping and in their choice of materials and methods of construction that will minimize maintenance costs and are energy efficient. However, the minimum requirements are that historic colors and materials be used and that the design adheres to the design guidelines set forth in the Historic District Commission (HDC) handbook, "Building with Nantucket in Mind" (see Attachment D). The designs will be subject to review and input of the HDC. The final appearance of the proposed development should be harmonious with existing norms for dwellings in the Town of Nantucket. The overall project design will be evaluated as part of the Comparative Evaluation Criteria described in Attachment E.

Preferred amenities to be included in the development are interior storage, landscape screening, and adequate parking.

Energy Efficiency

The Town is seeking proposals that include building and site designs that are mindful of the tenants' energy and utility costs and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the project description.

Significant energy efficiency incentives have been made available to Nantucket in the past. Proposers are encouraged to reach out to Lauren Sinatra, Energy Coordinator for the Town (lsinatra@nantucket-ma.gov), to learn about current programs they may want to consider incorporating. In addition, the Town has adopted the Stretch Energy code effective September 1, 2019.

Stretch Energy Code:

- The Stretch Code is an "above code" appendix to the Massachusetts Building Code, designed to result in cost-effective construction that is more energy-efficient than what is built under the "base" code. To view Massachusetts' Building Energy Codes, including the latest updates to the Stretch Code, [click here](#).

Commented [HC4]: Does this need to be an "attachment" link page?

Commented [VM5R4]: Provide link there.

Site

- The site's locus is shown on the Map included in Attachment A. It can be described as a generally level location. This site has Town water and sewer in close proximity. The site is near to designated public transportation stops and is walking distance to markets, restaurants and other small businesses. The subject parcel is located in the Town's Commercial Neighborhood ("CN") District, which requires ten-foot (10') wide Front Setback, and five-foot (5') wide Side and ten-foot (10') wide Rear Setback.
- As it is a corner lot, the front setback is only required to be taken off of one street. There already exists a ten-foot (10') wide Utility and Slope Easement along Amelia Drive and a twelve-foot (12') wide Driveway Easement on the northerly property line. It is recommended that a proposer take the "Front Setback" on Amelia Drive. The area highlighted in yellow on the Map included in Attachment A reflects these setbacks.
- The boundaries of the lot highlighted in green on the Map included in Attachment A show a total lot area of 7,755 ± square feet.
- The Zoning District allows forty percent (40%) ground coverage, therefore there is 3,102 ± square feet available for the building footprint(s).
- A copy of Nantucket Zoning Bylaws is attached (see Attachment F).

Utilities:

- Water *Public*

- Wastewater *Public*
- Electric *National Grid*
- Cable *Comcast*

The project is required to meet all lighting objectives, parking requirements, and other conditions as determined by the Planning Board and other relevant boards and agencies.

Project Permitting

It is the Town's preference that the project is permitted under the Town's Zoning Bylaws. The Planning Board must grant the appropriate permit and the Historic District Commission must grant a certificate of appropriateness for the project. Any variances for dimensional requirements would be subject to Zoning Board of Appeals review and approval.

Acquisition Price

The Town is offering to lease the property for a long-term lease of up to ninety-nine (99) years to the successful proposer, for an initial payment detailed below and at a nominal annual rent of \$1.00/year for the term of the lease; with terms of the lease to ensure the development conforms to the proposal and to ensure the income-restricted housing remains affordable for the term of the lease.

Initial Lease Payment

The Town will require an initial lease payment in the amount of \$10,000.00 to cover all Town costs incidental to the disposition of this site. Thereafter, the current lease payments shall be for nominal consideration, as described above.

IV. Property Description

The subject Property is shown on the locus Map contained in Attachment A as a portion of Lot 23.

The site is relatively flat, moderately covered by brush. It is bordered by residential, small commercial and municipal neighbors. Primary access to the site is via the newly created road bordering the site which connects Amelia Drive and Waitt Drive, depicted on the Maps contained in Attachment A.

V. 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 long-term lease of the Property 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 to the 7 Amelia Drive Nantucket Housing project.
 - 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 (see Attachment G), 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) in the case of a rental project, a 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 J – "Certificate of Non-Collusion", K – "Tax Compliance Certificate", and L – "Disclosure Statement For Transaction With A Public Agency Concerning Real Property"

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, access to sidewalks 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 privacy for the residents.
- Floor plans
- Elevations (exterior building materials should be identified on elevations)
- Typical unit plans
- Interior storage for all units

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.

Commented [VM6]: This discussion of proposed rents or sales prices- indicates possible lease by ground lease or sales price which is for a sale of the property. If it is being proposed either a lease or sale then as presently drafted it has a ground lease attached and there is no proposal for a purchase price.

- **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. To the extent permitted by law and as approved by DHCD, the initial lottery shall give local preference as described in Section III, “Affordability” above. 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 or owner selection and a fair and unbiased selection process.
- The ability to maintain all necessary reports and certifications required under state and federal law.

VI. Evaluation Criteria

Minimum Threshold Criteria

Proposals that do not clearly and fully comply with these Minimum Threshold Criteria and are not submitted in complete form by **1:00pm on _____, 2023** 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 90 days of selection; sufficient staff resources and availability to perform required services.

6. Submission of required forms at Attachments J, K, L and M:

- Attachment J – Certificate of Non-collusion;
- Attachment K – Tax Compliance;
- Attachment L – Disclosure Statement for Transaction with a Public Agency Concerning Real Property, M.G.L. c. 7C, § 38
- Attachment M – Acknowledgement of Receipt of Documents

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 one hundred percent (100%)of the units as affordable at or below one hundred percent (100%) of the AMI.

Comparative Evaluation Criteria

Projects meeting the Minimum Threshold Criteria will then be judged on the Comparative Evaluation Criteria (see Attachment E). The Town will use the comparative criteria for each subject 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 Town 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 Town. The most highly advantageous proposal from the proposer deemed most responsive and responsible, taking into consideration all evaluation criteria set forth in the RFP, will be selected by the Town or its designees. **The Town reserves the right to select the proposal that best meets the needs of the community and that may not be the proposal that achieves the highest score. The Town reserves the right to not make any award if it determines in its sole discretion that it is in the best interest of the Town.**

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

VIII. Post Selection

Development Agreement

It is the intent of the Town to enter into a development agreement with the selected proposer within ninety (90) days of selection and a long-term lease of the land with terms to ensure the development

Commented [VM7]: Again this is just a reference for a long-term lease and not a conveyance of a deed.

conforms to the proposal, and restrictions to require the housing remain affordable for the term of the lease, after certain benchmarks have been met. A Draft Development agreement can be found at Attachment I.

Chapter 30B Real Property Dispositions to Promote Public Purpose Requirements

The name of the selected proposer and the amount of the transaction will be submitted for publication in the state's Central Register.

The Town has determined that the public purpose of the project is best met by disposing of the property for less than fair market value; the Town will post a notice in the state's Central Register explaining the reasons for this decision and disclosing the difference between the property value and the price to be received. This notice will be published before the Town enters into any agreement with the developer.

IX. Attachments

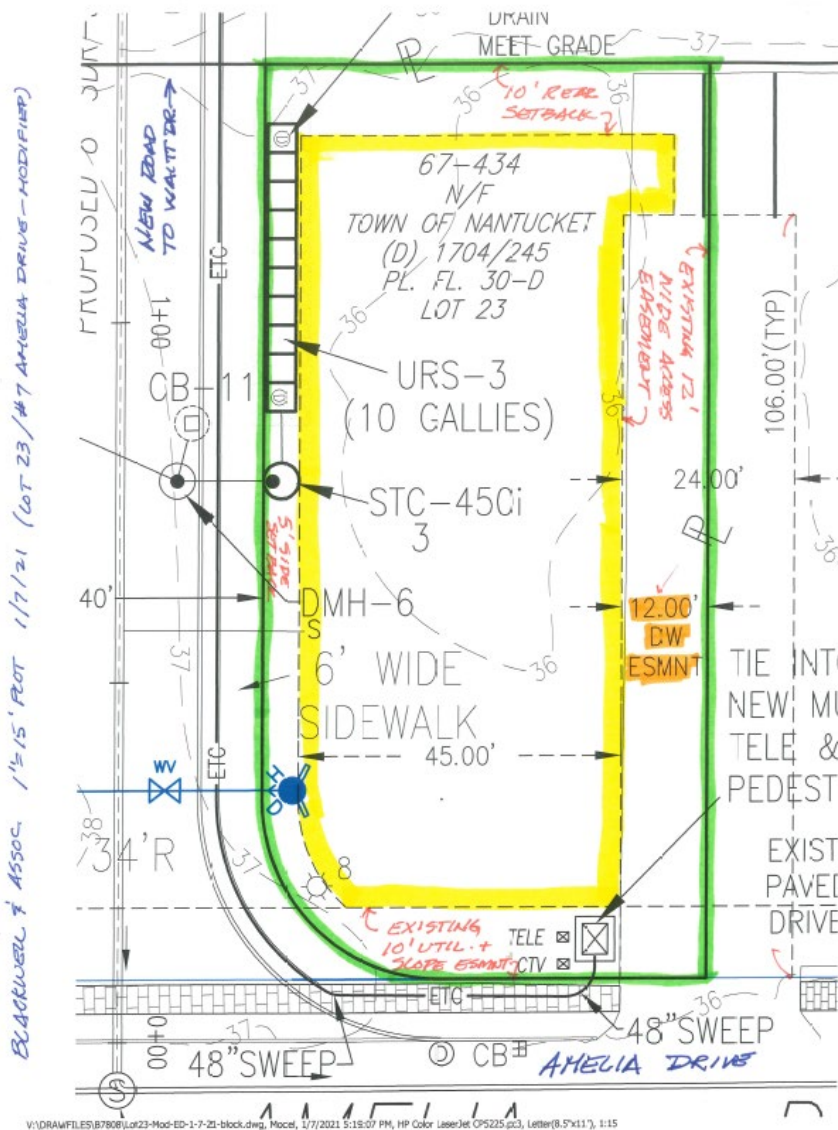
- A. Maps of the Property and surrounds
- B. Town Meeting Vote & Quitclaim Deed
- C. 2021 Nantucket Housing Production Plan
- D. Building With Nantucket in Mind
- E. Comparative Evaluation Criteria
- F. Nantucket Zoning Bylaws
- G. Sections 3 and 4 of Massachusetts One Stop Application
- H. Draft Form of Ground Lease
- I. Draft Form of Land Development Agreement

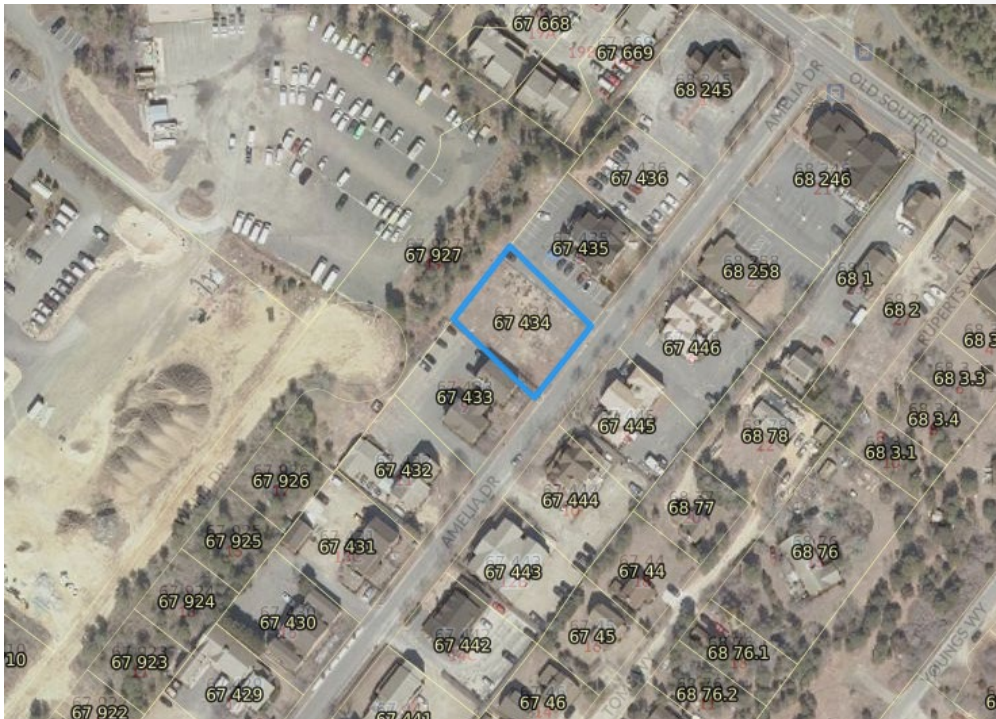
Required Documents:

- J. Certificate of Non-Collusion
- K. Tax Compliance Certificate
- L. Disclosure Statement for Transaction with a Public Agency Concerning Real Property
- M. Acknowledgement of Receipt of Documents

ATTACHMENT A
"THE PROPERTY"

Commented [VM8]: Need plan





ATTACHMENT B
QUITCLAIM DEED

Bk: 01704 Pg: 245



2019 00002007
Bk: 1704 Pg: 245 Page: 1 of 4
Doc: DD 08/09/2019 01:20 PM

QUITCLAIM DEED

AUGUST POINTE, LLC, a duly organized Massachusetts limited liability company, with a mailing address of 125 East 72nd Street, New York, NY 10021, in consideration paid of Nine Hundred Thousand and 00/100 (\$900,000.00) dollars, grants to THE TOWN OF NANTUCKET, a Massachusetts municipal corporation, acting by and through its Board of Selectmen having a mailing address of Town & County Building, 16 Broad Street, Nantucket, MA 02554, with QUITCLAIM COVENANTS,

That certain parcel of vacant land, more commonly known and numbered as 7 Amelia Drive, in Nantucket, Massachusetts and being more particularly described as follows:

NORTHWESTERLY	by	land now or formerly of the Nantucket Electric Company, one hundred and two and 00/100 (102.00) feet;
NORTHEASTERLY	by	Lot 24 on a plan hereinafter referred to, one hundred twenty-seven and 26/100 (127.26) feet;
SOUTHEASTERLY	by	Amelia Drive, one hundred and two and 00/100 (102.00) feet; and
SOUTHWESTERLY	by	Lot 22 on said plan, one hundred twenty-seven and 27/100 (127.27) feet.

Said land is shown as Lot 23, containing 12,981 square feet, more or less, on a plan entitled "Definitive Plan of Land in Nantucket, Massachusetts, Prepared for G.G.B. Realty Trust," drawn by Nantucket Surveyors, Inc., dated April 30, 1986 and recorded at the Nantucket Registry of Deeds in Plan File 30-D.

Said premises are conveyed subject to the following:

- a) Together with the right to use Amelia Drive and Ticcoma Way, in common with others lawfully entitled thereto for all purposes for which ways are normally and customarily used in the Town and County of Nantucket.
- b) Subject to a utility, slope, and drainage easement running along its southeasterly boundary as shown on said plan.
- c) Subject to an Easement to New England Telephone and Telegraph Company, recorded at Book 479, Page 279, at said Registry.

- d) Subject to an Easement to Nantucket Cablevision Corporation, recorded at Book 479, Page 285, at said Registry.
- e) Subject to an Easement to Wannacomet Water Company, recorded at Book 479, Page 291, at said Registry.
- f) Subject to an Easement to Nantucket Electric Company, recorded at Book 479, Page 297, at said Registry.
- g) Subject to Amelia Drive Declaration dated August 15, 1995 recorded at Book 480, Page 208, at said Registry.
- h) Subject to a Common Driveway Easement, recorded at Book 487, Page 339, at said Registry, as affected by Easement Modification dated August 1, 1997 recorded at Book 5543, Page 276
- i) Subject to an Order of Taking by the County of Nantucket, dated September 26, 2018, recorded at Book 1665, Page 87, at said Registry.
- j) Subject to the real estate taxes for the current fiscal year.

For Grantor's title, see Deed recorded at the Nantucket Registry of Deeds at Book 1452, Page 303.

I, Gary Beller, Manager of August Pointe, LLC, do hereby certify that no member or spouse, civil union partner, ex-spouse, or ex-civil union partner of a member of August Pointe, LLC, occupies or intends to occupy the land as a principal residence or is entitled to claim the benefit of an existing state of homestead in the property by court order or otherwise.

The Grantor is not treated as a corporation for federal income tax purposes. The Grantor certifies that this conveyance is not of all or substantially all of the Grantor's property in the Commonwealth of Massachusetts.

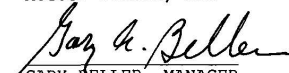
No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

{Signature Page to Follow}

Executed and sealed on August 2, 2019.

By:

AUGUST POINTE, LLC

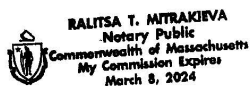

GARY BELLER, MANAGER

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

August 2, 2019

Then personally appeared the above-named GARY BELLER, as Manager of August Pointe, LLC, personally known to me, or proved to me through satisfactory evidence of identification, which was Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.




Notary Public

Printed name: Ralitsa T. Mitrakieva
My commission expires: March 8, 2024

ACCEPTANCE OF DEED

The undersigned Board of Selectmen of the Town of Nantucket hereby accept the foregoing deed of 7 Amelia Drive, in said Nantucket, from August Pointe, LLC, pursuant to the authority of Section 3.3 of Chapter 289 of the Acts of 1996, this 7 day of August, 2019.

TOWN OF NANTUCKET
BOARD OF SELECTMEN

[Signature]
Dawn E. Hill Holdgate

[Signature]
Rita Higgins

[Signature]
Jason Bridges

[Signature]
Matthew G. Fee

[Signature]
Kristie L. Ferrantella

NANTUCKET LAND BANK CERTIFICATE	
☐ Paid \$	
☒ Exempt <u>A</u>	
☐ Non-applicable	
No. <u>40920</u>	Date <u>8/9/19</u>
Authorization <u>[Signature]</u>	

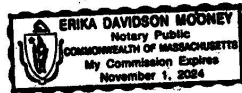
COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

On this 7 day of August, 2019, before me, the undersigned Notary Public, personally appeared Dawn E. Hill Holdgate, Rita Higgins, Jason Bridges, Matthew G. Fee and Kristie L. Ferrantella as Members of the Board of Selectmen of the Town of Nantucket who proved to me by satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose, as the free act and deed of the Board of Selectman of the Town of Nantucket.

[Signature]
Notary Public
My Commission

674351NANT 19713/0060



NANTUCKET COUNTY Received & Entered
Attest: Jennifer H. Ferrantella, Registrar of Deeds

**ATTACHMENT C
NANTUCKET HOUSING PRODUCTION PLAN**

THE NANTUCKET CHAPTER 40B HOUSING PRODUCTION PLAN (2021) CAN BE FOUND ON THE TOWN OF NANTUCKET'S WEBSITE AT THE FOLLOWING ADDRESS:

[HTTPS://NANTUCKET-MA.GOV/DOCUMENTCENTER/VIEW/40859/NANTUCKET-HOUSING-PRODUCTION-PLAN-2021-PDF](https://nantucket-ma.gov/documentcenter/view/40859/nantucket-housing-production-plan-2021-pdf)

DRAFT

ATTACHMENT D
"BUILDING WITH NANTUCKET IN MIND"

"BUILDING WITH NANTUCKET IN MIND" CAN BE LOCATED ON THE TOWN OF
NANTUCKET'S HISTORIC DISTRICT COMMISSION'S PAGE AT:

[HTTPS://NANTUCKET-MA.GOV/537/BUILDING-WITH-NANTUCKET-IN-MIND](https://nantucket-ma.gov/537/building-with-nantucket-in-mind)

DRAFT

**ATTACHMENT E
COMPARATIVE EVALUATION CRITERIA**

7 AMELIA DRIVE NANTUCKET HOUSING PROJECT

	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
DEVELOPER EXPERIENCE & CAPACITY (TEAM)			
• Demonstrated experience in and capability for designing, permitting, developing and managing similar residential projects • Outcome of comparable projects • Demonstrated experience securing financing for similar projects • Experience developing energy efficient homes • Property management experience with similar projects • The quality of the team's reputation and references, particularly in terms of its regulatory track record and ability to complete projects as proposed • Success in marketing approach, including affirmative fair housing marketing plans and lottery, meeting State requirements • Successful long-term management approach • Nonprofit Developer	Development team members have had only minimal experience in the development of projects with similar scope (i.e., less than 5 years), including legal, design, development, financing, and management experience with rental housing; developer is a for-profit developer	1) Development team members have had significant experience in the development of projects of similar scope (i.e., 5-7 years), including significant legal, design, financing, affordable housing management, and development experience 2) Energy efficient buildings part of standard development approach 3) Developer may be a nonprofit developer	1) Development team members have significant and substantial successful development of affordable housing project of similar scope (i.e., 8 or more years), including significant legal, design, financing, affordable housing management and development experience 2) Energy efficient design is their standard approach to design and development 3) Is a nonprofit developer

	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
AFFORDABILITY			
- Proposal meets the greatest level of affordability fiscally possible - Proposal meets requirements to have all units qualify on the SHI list - Addresses the Town's desire to have the project eligible for Local Preference, provided it is approved by DHCD.	The proposal does not meet the requirements of the Town's Zoning Bylaws and contains less than 100% of the units affordable to households at 100% AMI or less	The proposal meets the requirements of the Town's Zoning Bylaws and contains 100% of the units affordable to households at 100% AMI or less and the proposal complies with DHCD Guidelines, but does not address the desire for Local Preference	The proposal meets the requirements of the Town's Zoning Bylaws and contains 100% of the units affordable to households at 100% AMI or less and the proposal complies with DHCD Guidelines and addresses the desire for Local Preference
NUMBER OF UNITS AND PERMITTING			
- No more than 3 housing units will be constructed on the property - Housing will be constructed pursuant to Nantucket Zoning Bylaws	Proposal is for 1 unit and does not clearly address the permitting for the project	Proposal is for 2 units permitted by Nantucket Zoning Bylaws	Proposal is for 3 units permitted by Nantucket Zoning Bylaws

	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
SITE DESIGN			
- Thoughtful and efficient site design, minimizing impervious surfaces - Uses standards of low impact development - Underground utilities - Exterior lighting – minimal impact to neighbors - Storm water management - Landscape plan including parking area - Plan includes interior storage - Area designated for snow - Adequate screened visitor parking - Central trash and recycling area, appropriately screened	Proposal fails to include or address all site design criteria	The proposal meets or exceeds all design requirements of the RFP with thoughtful traffic flow, buildings siting, minimal impact of exterior lighting, and development design	Proposal meets all “advantageous” requirements and respects adjacent properties, provides heightened attention to landscaping plan, parking, storage, screening, and lighting
BUILDING DESIGN			
- Exterior design and materials is of high quality, while remaining compatible with local historical design, including the use of historic colors - Creative design that is cost effective and high quality - Interior layouts meet a variety of family-type needs - Finishes support durability and low-maintenance for tenant or owner - Adequate tenant dry, temperature-controlled storage - Inclusion of an ADA compliant unit	Design appears incongruous with local historical design patterns, interior lay-outs not effective use of space and does not include an ADA compliant unit	Proposal creates a development that reflects local historical design and efficient interior layouts, creating a desirable neighborhood and may include an ADA compliant unit	Proposal articulates a compelling development vision that is cost-effective, and has an attractive design and efficient use of interior space, reflects local historical design and includes an ADA compliant unit
SUSTAINABILITY [criteria to be determined based on input from Vincent Murphy and Lauren Sinatra] Proposal incorporates energy-efficient design. Proposal meets or	Proposal does not include energy-efficient design.	Proposal incorporates energy-efficient design.	Proposal meets or exceeds sustainability

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			and energy efficiency goals, including a net zero energy efficiency.
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	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
FINANCIAL FEASIBILITY			
• Adequacy of proposed budgets (development and operating) • Appropriateness of rents in relation to market • Track record of securing proposed conventional and subsidy financing	Proposal does not demonstrate an understanding of development costs and operating budgets for affordable housing	Proposal contains realistic development and operating budgets and evidence of success in securing necessary financing	Proposal contains realistic development and operating budgets and evidence of a high degree of success in securing necessary financing and other sources of funding

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	NOT ADVANTAGEOUS	ADVANTAGEOUS	HIGHLY ADVANTAGEOUS
REFERENCES & SITE VISITS			
- References – a minimum of three municipal references, include references from all projects undertaken in the last 10 years - Site visits – the selection committee may choose to visit proposers' completed projects	1) Minimum of 3 references not met, or references were poor and/or inadequate 2) Properties visited were in poor condition. Evidence of widespread resident dissatisfaction	1) Strong references reflecting projects came in on time and within budget, good property management structure 2) Properties visited were in good condition, site layout was efficient, buildings were well designed, and residents were overall satisfied and there is no evidence of systemic issues	1) Strong references reflecting timely completion, excellent budget control, property management structure excellence and high degree of professionalism of developer 2) Properties visited were in excellent condition, site layout and landscaping excellent, excellent building design and use of energy efficient and durable materials. Written evidence of broad residents' support of the project including testimonials

**ATTACHMENT F
NANTUCKET ZONING BYLAWS**

**THE TOWN OF NANTUCKET ZONING BYLAWS CAN BE FOUND ON THE TOWN OF
NANTUCKET'S WEBSITE AT THE FOLLOWING ADDRESS:**

[HTTPS://NANTUCKET-MA.GOV/445/TOWN-OF-NANTUCKET-BYLAWS](https://nantucket-ma.gov/445/town-of-nantucket-bylaws)

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ATTACHMENT G
SECTIONS 3 AND 4 OF MASSACHUSETTS “ONE STOP” APPLICATION

FOR THE MASSACHUSETTS “ONE STOP” AFFORDABLE HOUSING FINANCE APPLICATION (SECTIONS 3 AND 4), PLEASE GO TO THE TOWN OF NANTUCKET WEBSITE AT:

[HTTP://WWW.NANTUCKET-MA.GOV/DOCUMENTCENTER/VIEW/14796](http://www.nantucket-ma.gov/documentcenter/view/14796)

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ATTACHMENT H
DRAFT FORM OF GROUND LEASE

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ATTACHMENT I
DRAFT FORM OF DEVELOPMENT AGREEMENT

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ATTACHMENT J (REQUIRED)
CERTIFICATE OF NON-COLLUSION

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 Concessionaires, and withholding and remitting child support.

Federal Employer ID Number

Name of Corporation

President's Signature

Date

Please Print Name

ATTACHMENT K (REQUIRED)
TAX COMPLIANCE CERTIFICATE

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 Concessionaires, and withholding and remitting child support.

Federal Employer ID Number

Name of Corporation

President's Signature

Date

Please Print Name

ATTACHMENT L (REQUIRED)
DISCLOSURE STATEMENT FOR TRANSACTION WITH
A PUBLIC AGENCY CONCERNING REAL PROPERTY

DISCLOSURE STATEMENT FOR
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL
PROPERTY
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) Real Property:

A portion of a certain parcel of land in Nantucket, Massachusetts located at 7 Amelia Drive, Nantucket, containing 7,755± square feet, being a portion of Lot 23 shown on a plan of land, recorded with the Nantucket County Registry of Deeds as Plan File 30-D.

(2) Type of Transaction, Agreement, or Document:

Lease of property by Town of Nantucket

(3) Public Agency Participating in Transaction:

Town of Nantucket, acting by and through its Select Board

(4) Disclosing Party's Name and Type of Entity (if not an individual):

(5) Role of Disclosing Party (Check appropriate role):

___ Lessor/Landlord ☒ Lessee/Tenant

___ Seller/Grantor ___ Buyer/Grantee

___ Other (Please describe): _____

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (insert “none” if none):

(8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to

vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arm's length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

(9) This Disclosure Statement is hereby signed under penalties of perjury.

Print Name of Disclosing Party (from Section 4, above)

Authorized Signature of Disclosing Party

Date :

Print Name & Title of Authorized Signer

ATTACHMENT M **(REQUIRED)**
ACKNOWLEDGEMENT OF RECEIPT OF DOCUMENTS

TOWN OF NANTUCKET

DOCUMENT ACKNOWLEDGMENT FORM

AFFORDABLE RENTAL HOUSING DEVELOPMENT RFP

**I ACKNOWLEDGE RECEIPT OF THIS REQUEST FOR PROPOSALS
AND ALL ADDENDA AND UNDERSTAND I MUST ENCLOSE THIS
SIGNED AS PART OF MY PROPOSAL.**

Company Name

Signed

Date

SEVEN
LETTER

December 21, 2022

Nantucket Land Trust Fund
c/o Community Foundation for Nantucket
Ms. Margaretta Andrews and Mr. Tucker Holland
98 Bayberry Court
P.O. Box 204
Nantucket, MA 02554

This will serve as an addendum to the contract dated December 6, 2021, binding **Seven Letter (SL)** and **Nantucket Land Trust Fund (NLTF)**.

1. The terms of the agreement will be extended from January 1, 2023, through June 30, 2023.
2. Per this addendum, SL will be paid a monthly fee of 7,500.

Seven Letter

 12.21.2022
BY: Erik Smith, CEO Date

Client Name

BY: Ms. Margaretta Andrews Date

BY: Mr. Tucker Holland Date

Attachment A – Scope of Work

Working with Tucker Holland and committed residents from the Island's hospital, public safety, small business and non-profits we were able to make Nantucket a central argument for this state's need for a transfer fee to retain quality of life and a strong workforce. Our team had opeds in all the major newspapers in the state, including opeds centered on Nantucket and an oped written by a Nantucket realtor. Working with a Nantucket couple forced to leave the Island by housing costs we earned a large, sympathetic and well-read Globe column on Nantucket's housing issue. Our team has placed Tucker and others on local and regional radio addressing the crisis, and Nantucket has featured in coverage of the issue at the State House. Currently, we are awaiting coverage of Nantucket's issue by Channel 25 Boston, WGBH Boston and WBUR Boston.

Nantucket in many ways was the community with the largest problem, and the most concentration of media and legislative effort. After legislators backed away from a statewide transfer fee late in the year in the face of realtor pressure, Nantucket remained a viable candidate – possibly with Martha's Vineyard – for the only transfer fee passage. Media pressure and meetings with political leadership made the passage of a Nantucket-only transfer fee realistic and in play at the end of the session – and there were assurances that the Governor would sign it into law. This year our prospects are, frankly, even better. The likely incoming governor is a far better candidate to push legislators toward passage and sign the bill. But it is imperative that we continue to highlight our issues.

The Seven Letter team of Jeremy Crockford and Madeline Reynolds has worked with Nantucket, Martha's Vineyard and allies from all sectors across the state to make the lack of affordable housing arguably the number one issue in Massachusetts – all with the goal of winning passage a real estate transfer fee at the State House.

Partnering with government relations experts from O'Neill and Associates, we will continue to hold bi-weekly calls or meetings with the client and be available 24/7 as needed, in order to keep this issue on the front burner in the media and at the State House. Work will continue on strategy, creation of opeds – which have run in the Globe, Boston Business Journal, Banker & Tradesman, Commonwealth magazine, Cape Cod Times and other media across the state – and pairing of reporters from statewide, regional and national media with Tucker and key constituencies to drive stories supporting our goals. These stories are instrumental in building community, stakeholder and legislative support for the transfer fee.

Continuing this work, highlighting the public safety, healthcare and community damage of unaffordable housing, will allow us to push for passage under a governor who has already announced her support for our initiatives.

THE STATE OF HOUSING

A Quarterly Newsletter by the Town of Nantucket Housing Office

Volume 2 is out NOW! Read here:

<https://express.adobe.com/page/5YKsxCFgbyzAp/>

Proposed 2023 AHT Meeting Schedule:

All meetings would have a start time of 12:30pm.

1/17/23

Meeting 2x/month until Town Meeting:

2/7/23

2/21/23

3/7/23

3/21/23

4/4/23

4/18/23

5/2/23

5/16/23

Resuming 1x/month schedule:

6/20/23

7/18/23

8/15/23

9/19/23

10/17/23

11/21/23

12/19/23