



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, July 9th, 2024 @ 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

Ellis Ramos
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 FOR 07-09-24

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

PLEASE CLICK ON FOLLOWING LINK TO JOIN ZOOM MEETING:

Join Zoom Meeting

<https://us06web.zoom.us/j/84566121742?pwd=6tO3Oynzjnkj8cIwiHYcCtWWbLbP5M.1>

Meeting ID: 845 6612 1742

Passcode: 223120

-
- I.** Call to Order
 - II.** Approval of Agenda – ACTION
 - III.** Public comments
 - IV.** Approval of Minutes – ACTION
 - June 11th, 2024
 - June 25th, 2024

Note: all Trust open meetings are recorded and available on the Town's YouTube channel

V. Announcement:

- Habitat for Humanity Lottery is Open until July 15, 2024, for Four Affordable Homes for Homeownership at Waitt Drive. Learn more at habitatnantucket.org.

VI. Closing Cost Assistance Application—ACTION

- 65R Miacomet Ave – Katelyn Boynton
- 7B Green Meadows Way – Joel Alvarado
- 10 Honeysuckle Drive – Shaylyn Maguire

VII. Request for Approval and Execution for Documents in Connection with Meadows II Rental Housing Development Project:

1. Certification of Compliance to Executive Office of Housing and Livable Communities for Project Compliance with Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants as amended of Meadows II Rental Housing Development Project.
2. Any Other Necessary Documents Related to Funding of Buydown of Units in Phases 5 and 6 of Meadows II known as Gooseberry Place.

VIII. Lease to Locals – DISCUSSION/ ACTION

IX. Year-Round Deed Restriction Pilot Program – DISCUSSION/ACTION

X. Other Business

- Next Meeting is July 16, 2024, at 12:30pm

XI. Board Comments

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

1. Approval of Executive Session Minutes of February 21, 2023; March 21, 2023; July 25, 2023; August 22, 2023; August 29, 2023; September 5, 2023; September 19, 2023; October 31, 2023
2. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 44 Miacomet Road and 48 Miacomet Road, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Affordable Housing Trust Members and the Chair so Declares.

XIII. Adjournment



AGENDA PROTOCOL

For all Town of Nantucket Boards, Committees, Commissions, Work Groups, Councils and Trusts
(herein collectively referred to as "Committees" in this document)

Roberts Rules: Town of Nantucket Committees follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Committees. At the Committee's discretion, matters raised under Public Comment may be directed to Town Administration and/or appropriate departmental staff, or may be placed on a future agenda, allowing all viewpoints to be represented before the Committee takes action, if any. Except in emergencies, the Committee will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Committee to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with the United States Constitution and the Massachusetts Declaration of Rights.

The agenda for regular Committee meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Committee to take up first. This time is reserved for speakers to address the Committee on matters that are not related to any other Agenda item. If a speaker wishes to address the Committee on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.

All speakers are encouraged to present their remarks in an orderly and peaceable manner, without disruption to other speakers.

All remarks will be addressed through the Chair of the meeting.

The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not protected under the United States Constitution and the Massachusetts Declaration of

Rights because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

Each speaker may not exceed three (3) minutes during any Public Comment portion of the meeting.

Disclaimer: Public Comment is not a time for debate or response to comments by the Committee. Comments made during the Public Comment period do not reflect the views or positions of the Committee. Because of free speech principles, the Committee does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

Unanticipated Business: Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Committee welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at their sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Committee Members may have questions on the clarity of the information presented. The Committee will hear any staff input and then deliberate on a course of action.

Committee Report and Comment: Individual Committee Members may have matters to bring to the attention of the Committee during a meeting. If the matter contemplates action by the Committee, Committee Members will consult with the Chair and/or appropriate Town officials or employees in advance and provide any needed information by applicable Committee deadlines and/or schedule the matter for a future Committee meeting. Otherwise, except in emergencies, the Committee will not normally take action on Committee Comment.

Approved: March 27, 2024

ITEM IV – APPROVAL OF THE MINUTES FOR

- JUNE 11TH , 2024
- JUNE 25TH , 2024

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, June 11th, 2024.

Remote Meeting via Zoom– 12:30pm

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

ATTENDING MEMBERS: Brian Sullivan, Reema Sherry, Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos (Housing & Real Estate Office Manager), Lee Smith (Town Counsel)

SPEAKER IN ATTENDANCE: Colin Frolich (Placemate) , Julia Linder (ACK NOW) , Anne Kuszpa (Housing Nantucket).

I. Call to Order

Brian Sullivan called the meeting to order at 12:30pm.

II. Approval of Agenda – ACTION

Ellis Ramos suggested that they hold the CCAP for Juan Pablo Agüero Cid because the application is missing important information.

Tom Dixon made a MOTION to approve the Agenda with the CCAP being held to a future meeting. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Reema Sherry Aye
4. Shantaw Bloise-Murphy Aye
5. Meg Browers Aye
6. Penny Dey Aye
7. Brian Sullivan Aye

III. Public comments

AFTH Meeting on June 11th, 2024 at 12:30pm

No public comments.

IV. Approval of Minutes – ACTION

- **May 21st , 2024.**

Meg Browsers made a MOTION to approve the meeting minutes for the May 21st meeting as written.

Reema Sherry seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Reema Sherry Aye
4. Shantaw Bloise-Murphy Aye
5. Meg Browsers Aye
6. Penny Dey Aye
7. Brian Sullivan Aye

V. Announcement :

- **Habitat for Humanity Lottery is Open until July 15th for Four Affordable Homes for Homeownership at Waitt Drive**
- **Housing Nantucket Lottery is Open until July 2nd for 6 Affordable Rentals and 16 Workforce Rentals at Wiggles Way.**

Kristie Ferrantella said that there are currently two open lottery opportunities.

The first one is with Habitat for Humanity, and there are four homes for home ownership that are being built on Waitt Drive and the applications are open until July 15th of 2024, people can reach out to Jennifer Costanzo at Habitat for Humanity Nantucket for any questions about the application.

She said that these will serve families making 80% AMI or below and will count towards the SHI list.

She said the next opportunity is with the Housing Nantucket development at 31 Fairgrounds Road ,

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known as Wiggles Way, and this is a rental property lottery and there are going to be six units of Affordable rentals and 16 units of workforce housing restricted at 150% AMI. This lottery is open until July 2nd of 2024.

Penny Dey said that she wanted to let the community know that Ken Beaugrand the former Real Estate Specialist for the Town of Nantucket, has passed away on May 31st and there will be a memorial service on July 13th at 11am at the Saint Paul's Church of Fair Street.

VI. CCAP Application

- **Juan Pablo Agüero Cid – 9 Bluet Court**
- **Martin and Bilyana Ali – 24B Evergreen Way**

Tom Dixon made a MOTION to approve the CCAP application from Martin and Bilyana Ali up to \$15,000 and any unused funds to be returned to the Affordable Housing Trust. Dave Iverson seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Shantaw Bloise-Murphy Aye
4. Meg Browers Aye
5. Penny Dey Aye
6. Reema Sherry Aye
7. Brian Sullivan Aye

VII. Request and Approval of a License Agreement for Barrett Enterprises to use the lot at 12 Bartlett Road – DISCUSSION/ ACTION

Kristie Ferrantella said that last week she received a request from Travis Barrett at Barrett Enterprises that they are in the middle of trying to do a house move , but they learned last week that a utility pole needs to be upgraded and replaced prior to the house move to the site, potentially causing a delay.

Kristie Ferrantella said that Barrett Enterprise is requesting to use the land at 12 Bartlett Road to stage AFTH Meeting on June 11th ,2024 at 12:30pm

the house while the utility pole is being replaced and then they will move the house across the street where it will be used for employee housing for a local business. She said if this is approved, she will work with Town Counsel to draft a license and indemnification agreement for the house to be placed at the Trust property for up to 30 days.

Some discussion followed.

Penny Dey made a MOTION to approve the Barrett Enterprises request and to authorize the Chair or Co-Chair to sign on behalf of the Trust. Reema Sherry seconded this motion.

ROLL CALL of those participating:

1. Tom Dixon Aye
2. Dave Iverson Aye
3. Shantaw Bloise-Murphy Aye
4. Meg Browers Aye
5. Penny Dey Aye
6. Reema Sherry Aye
7. Brian Sullivan Aye

VIII. Request for Funding for Lease to Locals Program – DISCUSSION / ACTION

Kriste Ferrantella said that Lease to Locals is here to speak on their pilot program that they launched last September. She said just as a reminder this was a program that was meant to incentivize home owners to provide Year-round housing in exchange for a financial incentive and this was launched with the ACK Now Community incentives and Placemate is the software company that interacts between the two. She said this program directly aligns with the Select Board's Strategic Plan and specifically goal number three which states to explore incentives to encourage year-round rentals. She said that Colin Frolich of Placemate is here today to discuss the results of the pilot program and the relaunch of the program and unofficial request for funding from the Affordable Housing Trust.

Jack Bulger from Nantucket Cottage Hospital said he is here to speak about the Lease to Locals program. He said that the Nantucket Cottage Hospital has been a big beneficiary of the Lease to Locals program, they had 9 Hospital employees find long-term housing through the program.

Maxin Morgan a Nantucket Cottage Hospital long term employee said that she is incredibly grateful for this program for helping her find a long-term housing on the island and a great landlord.

Abby Doyle is a registered Nurse at the Nantucket Cottage Hospital. She said that this program has been nothing short of a miracle for her and her family, without this program she would've had moved to the Island due to housing issues. She said that having this program has allowed her to continue to work and live in the community that she loves and calls home. "This program changed my life," said Abby Doyle.

Criss Troast said that she just wanted to mention that what is important to know about this program is that it is a bridge program, the work that the AHTF is doing is phenomenal in finding ways to bring permanent housing solutions, whether is ownership or rentals into the reality for some many year-round residents, but she thinks that this bridge program is a great short term solution for getting people into homes now until the other solutions come together. She said she hopes that the Trust endorses these programs and takes them on a sponsorship.

Julia Linder said she would like to give a quick update on the program before Colin's presentation. She said this presentation includes a more refined proposal on a funding request for next year, which would be the first year after the pilot program. She said they are hoping to extend an offer to renew to the existing homeowners at a lesser incentive than year one and grow the program with an additional 20 or more units. She said there were also questions on who will administer the program and the Town certainly cannot, due to their limited resources, but Anne Kuszpa from Housing Nantucket is standing by to take over the administration of the program.

Julia Linder said that she will do the fundraising for the cost of operating the program and hiring Placemate for the next year.

Anne Kuszpa said that she discussed it with her Board, and they are interested in taking on this program as Julia mentioned.

Some discussion followed.

Colin Frolich said that the Lease to Local's program helps convert existing housing stock in a tourist Town and convert them into a year-round rental for a local employee, it helps unlock that missing middle housing and it aligns with the Select Board goals of exploring incentives to encourage year-

AFTH Meeting on June 11th, 2024 at 12:30pm

round rentals. This is a tried-and-true program both on Nantucket and in nine other markets across the country. He said the way it works is that they are connecting property owners and tenants and the way it works is , they make sure the property and the tenant qualifies , and how those are defined varies from market to market, and then they give the property owner the cash incentive to convert the unit. The incentive is usually split into two installments , half at the sign of the lease at half at the end of the lease.

Colin Frolich said that usually this partnership is with a non-profit or a local Government so in this case they have been running this program with ACK NOW Community Initiatives. He said the journey starts when they get contacted by property owners, potential tenants , real estate agents and others. The first and most important thing to do it to get on the phone with the property owner to understand their readiness;

- Do they understand the program?
- Are they willing to commit to the restrictions on the program?

Colin Frolich said most often the property owner comes to them already with a tenant in mind , but other times they need help finding a tenant. The next journey is either listing their property on the website or to find a tenant on their own, but ultimately Placemate has to help them to make sure they meet all the term of the program , lastly, they submit the application to ACK Now in this case and they cut the check for the incentive. The incentive is distributed in 50% increments , the first 50% at the signing of the lease agreement and the last 50% at the end of the lease agreement.

He also said that people are finding out about the program, and they are creating a renter's profile, that's the kind of the first step for us to know who they are when they do want to engage with a homeowner that has a property for rent. He said the mask some of the information about their profiles so as to not violate the Fair Housing Act, for example they don't show last names, job titles but rather just employers so there is no discrimination based on job positions. On the renters side , they can find listings on the Placemate website or they give homeowners opportunity to post on other sites, their job is to connect with the homeowner , lastly they review their eligibility, review the lease, verify moving in, to make sure everything meets the programs terms and then they issue the first half of the incentive. He said that another interesting way that is happening a lot on Nantucket , is tenants are finding the properties convincing the owners with the incentive that this is a good idea and then they

start the whole journey there , lastly on the back end this little kind of inside into what they call their program tracker where they have aggregated data as well as property level data that they are able to pull in real time.\

Colin Frolich said that as of February 2024 the program has been on pause because they ran out of funds. He said that their initial \$400,000 in incentive funds they were able to house 54 people in total 46 of them being qualified tenants and they are left with a vast waitlist.

Some discussions followed.

Colin Frolich said that that they are asking the Affordable Housing Trust for \$500,000 for September 1 relaunch. They are going to have 22 new properties coming in this fall, and also funding a 50% incentive for returning participants of the pilot program. He said they are not saying that there will be a 100% retention from the pilot program, but they are hoping for at least 80%.

Some discussion followed.

Penny Dey said that she is concerned about using public funds for a project that is not restricted in perpetuity. She said she doesn't want to be in the position of funding something with tax dollars that's not in perpetuity and at the end of this being faced with putting people out of this program, she also said that she would like to hear from Town Counsel if he thinks this is something that the Trust can do .

Kristie Ferrantella said that she is not giving legal advice but in conversation with Jonh Georgio a couple of times as Provincetown just launched their Lease to Locals, and they are actually doing it directly through their Town and he had expressed that there wasn't really a concern around the public fund being used to fund it. When it comes to the fair housing , there will be an agreement that the Town will not be responsible if there was any situation that arose that the Town would be able to be protected against.

Kristie Ferrantella also said that in conversation with the Finance Director she was told that they won't be able to use bonded finds for this program , because bonded funds are meant to be used for the purchase of real estate , but she will confirm with Town Counsel.

This item will stay open to a future meeting to allow the Lease to Local Program Administration time

AFTH Meeting on June 11th ,2024 at 12:30pm

to answer all the questions left by the Trust members.

IX. Other Business

- **Next Meeting is June 25th, 2024, at 12:30pm**

X. Board Comments

No Board comments.

XI. Adjourn

Meg Browers made a MOTION to adjourn this meeting. Penny Dey seconded this motion.

ROLL CALL of those participating:

- | | |
|--------------------------|-----|
| 1. Dave Iverson | Aye |
| 2. Penny Dey | Aye |
| 3. Reema Sherry | Aye |
| 4. Tom Dixon | Aye |
| 5. Meg Browers | Aye |
| 6. Shantaw Bloise-Murphy | Aye |
| 7. Brian Sullivan | Aye |

This meeting was adjourned at 1:30pm.

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, June 25th, 2024.

Remote Meeting via Zoom– 12:30PM

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

ATTENDING MEMBERS: Brian Sullivan, Reema Sherry, Meg Browers, Dave Iverson, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos (Housing & Real Estate Office Manager), Lee Smith (Town Counsel), Janelle Austin (Town Counsel)

SPEAKER IN ATTENDANCE: Colin Frolich (Placemate)

I. Call to Order

Reema Sherry called the meeting to order at 12:6pm.

II. Approval of Agenda

Kristie Ferrantella suggested that they move the approval of the minutes (item III) to a future meeting because they are not complete.

Penny Dey made a MOTION to approve the agenda as amended. Dave Iverson seconded this motion.

ROLL CALL of those participating:

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

III. Public Comments

Mary Mack said her comment is about the lease to locals' program. She said that they should be looking at this same way as medical professionals make medical decisions that are based on the risks

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versus benefits rationale.

Mary Mack also said that the benefits of funding this program is that people can be housed right now outweighs the risk of this being a temporary program.

Kristie Ferrantella said in case anybody missed it , the Affordable Homes Act is moving through the legislation process, and it just made its way to the Senate. They did release a bill that does not include the Transfer Fee but does still include the Seasonal Community Designation. She said that the Town has sent a lot of emails out to constituents , there are posts on our social media and website with a template for the testimony. Also, they are encouraging people to write to the Senate President and to Senator Julian Cir to encourage them to either add an amendment to include the transfer fee or to continue to support the Seasonal Communities designation.

IV. Approval of Minutes

- June 11, 2024

Note: all Trust open meetings are recorded and available on the Town's YouTube channel

V. Announcements:

- **Habitat for Humanity Lottery is Open until July 15th for Four Affordable Homes for Homeownership at Waitt Drive**
- **Housing Nantucket Lottery is Open until July 2nd for 6 Affordable Rentals and 16 Workforce Rentals at Wiggles Way.**

Kristie Ferrantella said that there are currently two open lottery opportunities.

The first one is with Habitat for Humanity, and there are four homes for home ownership that are being built on Waitt Drive and the applications are open until July 15th of 2024, people can reach out to Jennifer Costanzo at Habitat for Humanity Nantucket for any questions about the application. She said that these will serve families making 80% AMI or below and will count towards the SHI list.

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The next opportunity is with the Housing Nantucket development at 31 Fairgrounds Road , known as Wiggles Way, and this is a rental property lottery and there are going to be six units of Affordable rentals and 16 units of workforce housing restricted at 150% AMI. This lottery is open until July 2nd of 2024.

VII. Review and discussion of Open Meeting Law complaint determination from Division of Open Government, dated April 25, 2024, complaint of Meghan Glowacki

Kristie Ferrantella said that for this item she will pass it to Jenelle Austin from KPLaw who the Trust representative on this has been to review the determination and any outcome with the Trust.

Jenelle Austin said that Kristie Ferrantella had asked her to provide all the members of the Trust with an update. She said as many of them would recall, last summer an Open Meeting Law complaint was filed, by Megan Glowacki and essentially there was an allegation that the Trust violated the Open Meeting Law with respect to an Executive Session that was held on April 7th , 2023. In addition, with respect to an allegation that the open session minutes were not approved timely, the Trust met to review the allegations of the complaint and issue a response. That response was than provided to the complainant as well as to the Attorney General's Division of Open Government. Following that response the complainant asked the Attorney General to further review the complaint itself and the Attorney General after several months, reviewed everything and issued a determination on April 25th, 2024, and the Trust has been provided with a copy of the determination and there is no further remedial action is required at this juncture based on the Attorney General's decisions. She said as the Trust Members might know the meeting minutes from the April 7th, 2023, Executive session was previously released to members of the public with very minimal redactions subjected to privilege under the public records Law . the Attorney General often also had found that the open meeting that the open meeting law do not require the public bodies post their minutes to the website or be they rather that they be submitted , but that they be made available within 10 days while there was a determination

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that there was an improper discussion under purpose 6. The meeting minutes for April 7th, 2023, have now been released and there is no further remedial action required as determined by the Attorney General's office therefore this matter is now resolved.

Megan Glowacki said that she wanted to point out that the Attorney General did find that the Trust violated the Open Meeting Law. She said as everybody is well aware that the meeting that the Trust did decide to advise the Select Board to drop the appeal of Surfside Crossing because this Board for some reason felt the need to interject themselves and say that the ZBA did not have the ability to win the appeal. The two non-profit organizations continued on and have won the appeal not once but twice in Superior Court, further gaining leverage in this case. She said that her hope is that the Affordable Housing Trust will not continue to violate the law and will not interject themselves in matters that they are not party to in the future.

Some discussion followed.

VIII. 31 Fairgrounds "Wiggled Way" Status Update

Penny Dey said that the construction committee has been meeting every Wednesday for a very long time. The flooring is finished in all of the units, there is some minor electrical and carpentry is happening over the next week or so, all the granite curbing is installed, for the side walks all the bases are done, they are going to be pouring a finish test pad soon and concrete next week. All six patios and finished sidewalk coats will be done followed by landscaping the entire rear area behind unit 2 through 7. All the trees have been planted; the HVAC contractor is done with the mechanical work. The installation of the solar panels is going rather slower than anticipated and the last thing that needs to happen is the final paving. The appliances will be ordered next week, the electric and plumbing are finished.

Kristie Ferrantella said that she just wanted to mention that the construction committee is planning to do a ribbon cutting ceremony when the project is completed, and they have been in

AFTH Meeting on June 25th, 2024 at 12:30pm

communications with the Executive Office of Housing and Livable Communities, and they are hoping that the Secretary of Housing will join. She said as soon as she gets the dates, they will be blasting that information everywhere and they will make sure that all Trust members former and existing are invited.

IX. Request for Funding for Lease to Locals Program – DISCUSSION / ACTION

Kristie Ferrantella said just a reminder to everybody , Colin Frolich from Placemate and Julia Lindner from ACKNow Community initiatives has been in front of the board a couple of times to discuss their Lease to Locals Pilots program. they have reviewed how the program has to worked , how they envision the future of it working and being transferred over to Housing Nantucket and they have come to the Trust with a request of \$500,000 to support a second year of incentives for existing homeowners and to attract new homeowners to convert to year-round use. Since that last meeting, ACK Now has received a \$100,000 grand from Remain Nantucket to support the lease to locals' program so this is going to reduce the ask to the Affordable Housing Trust to \$450,000 and Remains grant is intended to help address the urgent need for year-round housing on the island and to support the programs mission of converting the use od dwellings on the island into year-round use. The goal of this donation is to encourage new door donors to join in, in supporting this program.

Colin Frolich said that they are here to address the June 11th Affordable Housing Trust meeting feedback and then review the ask, there were also attached to the board packet , there were program policies that were redlined based on some of the feedback from the June 11th meeting , so there are details in there that they can also review if needed.

- Penny Dey had asked if AHT funding can be used for projects that are not locked in perpetuity?
(Question for Town Counsel).

Lee Smith from KPlaw said that they have reviewed this question in house and the funds can be used for projects such as this, even though they are not restricted in perpetuity, there is some precedent for

this specific specially in Nantucket for workforce housing.

Some discussion followed.

- Penny Dey also had asked why can they not use bonded funds? (Question for Kristie F.)

Kristie Ferrantella said that bonded funds are for capital and cash is used for operations, and this would be considered ongoing operations.

Some discussion followed.

- Brian Sullivan had asked if they think this program could be successful if program went from 240% AMI to 175% for qualified tenants?

Colin Frolich said yes, but income restrictions always run the risk of excluding some participants.

Some discussion followed.

- Brian Sullivan asked how they are ensuring that properties are actually not already being rented long-term prior to entering the program?

Colin Frolich said that they get verbal confirmation on the property owner onboarding call, there is an affidavit from Property Owner on application attesting it has not been rented year-round in past 12 months, with tenant application they can see paystubs and ID which both show address, and they can cross check this against L2L property address. Also, Nantucket is a small community.

Some discussion followed.

- Brian Sullivan asked if they are allowing property owners who have multiple units to participate in the program and receive multiple grants?

Colin Frolich said yes, in current program guidelines, the idea is to try to keep this program open to see what the pilot could garner, but they could add a new restriction.

Some discussion followed.

- Brian Sullivan said he heard things on Facebook of property owners who do and don't qualify for the program?

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Colin Frolich said that in the current program policies a qualified tenant cannot be of blood relation or employed by the Property Owner.

- Brian Sullivan asked if there is a mechanism to allow people who want to donate their properties (as a tax write off) but don't need the incentive?

Colin Frolich said that they can definitely explore this with Housing Nantucket. Owners who want to post their properties on Placemate.com without the L2L incentive who do that already at no cost (and no additional admin cost from Placemate)

Some discussion followed.

Questions emailed after June 11 AHT meeting.

- Can businesses whose employees are capturing leases able to participate in the subsidy between 50% & 33%?

We can definitely explore this with Housing Nantucket. This could be a good fundraising opportunity for employers that wanted to contribute.

- Is there a way to have the employers or another NGO participate financially and for the Trust to not be the sole funder of the program?

We are exploring additional private fundraising opportunities.

- What happens when the program "ends"? What has happened in other communities?

We are in the process of winding down one program (Summit County) and this is done with a lot of communication. This particular program was spun up as a temporary COVID relief program (for 1 year) but extended for 2 years and over \$2M in incentives were distributed.

Colin Frolich said basically they mentioned this slide last time, and this is where they shift into a board discussion and deliberation and bring it to a vote. He reiterated that this at the beginning the ask is to fund a relaunch of this program and this ask will actually be brought down to \$450,000 after finding out about the Remain Nantucket grant, to fund a year one new properties and renewals of existing

properties in the pilot program.

Reema Sherry said they still have more questions for Lee Smith to look over for the Trust. She asked if the Trust members were ready to vote or if they needed more time.

Penny Dey said that she would like to differ the vote to the next meeting because she is not prepared to vote today on this.

Meg Browsers said that she would be happy to vote today, but if Penny Dey wants to wait until they get back the information that they requested about Fair Housing she is ok with it. She just wanted to be clear about what outstanding questions they may have so that they can give them exactly what information they need to provide, and with that being said she said that she is in full support of this program and is so excited for this collaboration.

Brian Sullivan said he would like to wait until they hear back from Lee Smith, but for moving forward with the conversation, he would like to see any funds provided by the Affordable Housing Trust go to 175%AMI or below and no more than two units per owner.

Kristie Ferrantella said that Provincetown has adopted the Lease to Locals program and this question on Fair Housing Act came up several times with their Town Manager, so that might be a quick spot to find a quick answer as hoe KPlaw resolved the questions when it came to their Select Board.

Penny Dey said that she would prefer to call this pilot program phase two and it would be extremely helpful if Colin Frolich and Julia Linder could get the Trust some information on the level of commitment of the existing people.

Dave Iverson said he agrees with Brian Sullivan in support of the 175%AMI or below and how many subsidies each homeowner can get. It would also be helpful to see how Provincetown navigated the Fair Housing Act in making a decision.

Tom Dixon said he agrees with Dave Iverson and Brian Sullivan that think 175% make more sense and he would want to make sure that Kriste Ferrantella has spoken to Brian Turbit at length about

AFTH Meeting on June 25th ,2024 at 12:30pm

this, but just that any future motion would be contingent on finance department is comfortable with the finances on this and also run this by the Town CTO to make sure how Placemats privacy policy relates to Municipal money and its okay with the Technology Department.

Mary Mack said that they should be looking at this in a matter of community safety, she said that she thinks that the island would be much safer if because this program is housing hospital staff, firefighter etc. that are living of island and wouldn't be able to deal with and emergency if there was one.

X. Other Business

Next Meeting:

- July 9, 2024, at 12:30pm
- July 16, 2024, at 12:30pm

XI. Board Comments

Penny Dey said she just wanted to thank Reema Sherry for all the work that she has done for the Affordable Housing Trust and for the community, and she will be missed.

The Trust members thanked Reema Sherry for her year of serving on the Trust.

THANK YOU REEMA SHERRY.

XII. 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.

- i. 8C Thirty Acres
- ii. 13-15 Nancy Ann Lane
- iii. 44 Miacomet Road
- iv. 17, 19 and 21 Boynton Lane

Meg Browers made a MOTION to adjourn open session, to go to executive session, not to return to

AFTH Meeting on June 25th ,2024 at 12:30pm

open session to consider the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the public body. Brian Sullivan seconded this motion.

ROLL CALL of those participating:

1. Dave Iverson Aye
2. Penny Dey Aye
3. Tom Dixon Aye
4. Brian Sullivan Aye
5. Meg Browers Aye
6. Shantaw Bloise-Murphy Aye
7. Reema Sherry Aye

This meeting was adjourned at 2:04pm.

ITEM V- ANNOUNCEMENT

- Habitat for Humanity Lottery is Open until July 15, 2024, for Four Affordable Homes for Homeownership at Waitt Drive. Learn more at habitatnantucket.org.



Habitat for Humanity Nantucket

APPLICATIONS AVAILABLE

4 Affordable Homes for Purchase:
To be Built on Waitt Drive, Nantucket, MA
House price: 2-bedroom: \$254,000
House price : 3-bedroom: \$301,000

Estimated monthly payment: \$1,113 - 3 Bedroom
Estimated monthly payment - \$983 - 2 Bedroom



Applications may be obtained :

- Online www.habitatnantucket.org
- Nantucket Atheneum , 1 India St.
- At the Habitat for Humanity office 75 Old South Road
- Or call to have an application mailed to you: 508-325-8912

Persons considering applying are strongly encouraged to attend one of the information meetings:

Virtual, using ZOOM on your computer are scheduled for June 1st and June 15th.

To sign up and receive the link and password, send an email to gennifer@habitatnantucket.org

In Person Information Meetings to be held at the Nantucket Atheneum , 1 India Street

May 20, 6:30 pm and June 10th 6:30 pm

Any questions: call 508-221-2534 or email gennifer@habitatnantucket.org

APPLICATION DEADLINE: JULY 15TH

Maximum income eligibility is income at or below 80%.

80% of Area Median Income by family size Effective April 1, 2024 (Adjusted annually by HUD/FHLBB)

	80%	
1	\$76,750	
2	\$87,750	
3	\$98,700	
4	\$109,650	

This is the maximum *gross* income your household may earn and be eligible for consideration for a Habitat for Humanity home on Nantucket.

You may qualify for Habitat home ownership, if you are:

- in critical need of year-round affordable housing, *and*
- willing to complete the required 350 hours of "sweat equity" on your home and other Habitat projects
- able to make housing payments of approximately \$1,113 (3 BR) or \$983 (2BR) per month, *and*
- unable to qualify for conventional mortgage financing of a market rate house, *and*
- first time home buyer (some exceptions apply; described in application packet), *and*
- U.S. Citizen or Permanent Resident

Habitat for Humanity of Nantucket does not discriminate in the selection of applicants. Habitat for Humanity of Nantucket is not-for-profit organization and we do business in accordance with Federal and Massachusetts Fair Lending Laws.



ITEM VI - Closing Cost Assistance Application

- 65R Miacomet Ave – Katelyn Boynton
- 7B Green Meadows Way – Joel Alvarado
- 10 Honeysuckle – Shaylyn Maguire

ITEM VII - Request for Approval and Execution for Documents in Connection with Meadows II Rental Housing Development Project:

1. Certification of Compliance to Executive Office of Housing and Livable Communities for Project Compliance with Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants as amended of Meadows II Rental Housing Development Project.
2. Any Other Necessary Documents Related to Funding of Buydown of Units in Phases 5 and 6 of Meadows II known as Gooseberry Place.

LOCAL INITIATIVE PROGRAM APPLICATION FOR LOCAL ACTION UNITS

(3rd) Minor Modification and Acceleration of Construction / Occupancy
Previously Approved Local Action Units (LAU)
(Phases V and VI) of “Meadows II” Rental Apartments Development Project
1, 2&4, 3&5, 6, 7, and 8 Gooseberry Place - Town of Nantucket

55 Unit Phase (Phases V and VI) of 225 Unit Project
(27 Units will be AMI Restricted Units, 24 Units will be Market Rate Units)
17 Units will be Restricted to 80% AMI Qualified Households
5 Units will be Restricted to 110% AMI Qualified Households
5 Units will be Restricted to 120% AMI Qualified Households

Richmond Meadows Two P5P6, LLC (Project Sponsor / Developer)
Richmond Great Point Development, LLC (Project Sponsor / Developer)
Town of Nantucket (Municipal Agency / Applicant)

Introduction

The Local Initiative Program (LIP) is a state housing initiative administered by the Executive Office of Housing and Livable Communities (EOHLC), as successor agency to the Department of Housing and Community Development (DHCD), to encourage communities to produce affordable housing for low and moderate-income households.

The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the area median income. LIP-approved units are entered into the subsidized housing inventory (SHI) pursuant to Massachusetts General Laws Chapter 40B.

Local Action Units (LAUs) are created through local municipal action *other than comprehensive permits*; for example, through special permits, inclusionary zoning, conveyance of public land, utilization of Community Preservation Act (CPA) funds, etc.

EOHLC shall certify units submitted as LAUs if they meet the requirements of 760 CMR 56.00 and the LIP Guidelines, which are part of the Comprehensive Permit Guidelines and can be found on the **EOHLC website at www.mass.gov/eohlc**.

To apply, a community must submit a complete, signed copy of this application to:

Executive Office of Housing and Livable Communities
100 Cambridge Street, Suite 300
Boston, MA 02114

Attention: Alyxandra Sabatino, LIP/HOP Coordinator
Telephone: 617-573-1328
Email: Alyxandra.sabatino@mass.gov

Community Support Narrative, Project Description, and Documentation

Please provide a description of the project, including a summary of the project's history and the ways in which the community fulfilled the local action requirement.

Description of the Project

The “Meadows II” Rental Apartments Development Project is a 225 unit mixed-income rental apartment community which is being developed in multiple phases on a total of +/- 14 acres of land, located in a campus-style community within Orchid Place, Iris Place, Clover Place, Wildflower Drive, Beach Grass Road, Violet Place, and Gooseberry Place (south of Old South Road) in the Town of Nantucket.

The subject application seeks approval for a 3rd minor modification to the originally approved project and the prior LAU certification, which was issued for the overall project by the Department in May of 2019, and was previously amended in June of 2021 and in December of 2022. This current (3rd) modification is comprised of:

(1) A change (addition of twelve (12)) in the total number of AMI restricted units to be developed within a 55-unit component of the overall (225 unit) project by restriction, in perpetuity, of an even amount of otherwise unrestricted market-rate rental units;

(2) A continued diversification of the maximum household income limits which will be applicable to the AMI restricted units within this 55-unit component of the overall (225 unit) project, to include units targeted toward households earning household incomes requiring higher AMI limits than the traditional 80% limit resulting from the higher costs and earnings specific to the Nantucket community; and

(3) Incorporation of a municipal employee housing preference for not more than ten (10) units of unrestricted market-rate housing within this 55-unit component of the overall (225 unit) project, as follows.

Phases V and VI of the “Meadows II” Rental Apartments Development Project are comprised of an increment of 5-units, to be developed within a series of six (6) garden-style (two-story) buildings, designed as a campus-style layout with surface parking.

Per statutory and applicable EOHLC requirements, the AMI restricted units will not be identifiable as such, will be integrated / blended into the project, and will be the same as the market rate units in terms of size, layout, finishes, and features.

The (55-unit) current phases (and the overall 225 unit project) will continue to meet and / or exceed the performance standards which have been set forth in the Town of Nantucket “Workforce Housing Rental Community” zoning, which was originally approved at a Special Town Meeting (STM) of the Town of Nantucket conducted in November of 2015, and was subsequently codified in Chapter 139 of the Town of Nantucket Code as §139-8D, in December of 2015.

Phase I of the overall project (which is comprised of a total of 98-units) was completed in late 2021. Phase II of the overall project (which is comprised of a total of 24-units) was completed in the summer of 2022. Phases III and IV of the overall project (which combined comprise a total of 48-units) were completed in the spring of 2024. All units within the aforementioned phases are leased and occupied, including all 60 of the AMI

restricted units and all 110 of the market rate units located within these four (4) phases of the Project.

Regulatory Context and Objectives

- Based upon guidance previously provided by the Department, it is the understanding of the parties that upon the issuance of building permits, all fifty-five (55) of the units which comprise Phases V and VI of the Project will first become eligible for certification and listing upon the Town of Nantucket's Subsidized Housing Inventory (SHI) in accordance with the requirements and provisions of the EOHLC LIP / LAU guidelines, because they have never previously been eligible to be counted on the SHI list at any time. The eligibility for certification of these fifty-five (55) units will first occur at the time (and during the year) of the issuance of building permits.
- Additionally, and assuming approval of this (3rd) minor modification by EOHLC, the parties anticipate that these (previously not yet eligible) LAU unit will become eligible as compliance toward Nantucket's approved Housing Production Plan goals upon the request of the Town of Nantucket. It is the understanding of the parties that certification of these fifty-five (55) LAU units will permit the Town of Nantucket to continue to assert so-called "safe harbor" in accordance with the provisions of 760 CMR 56.03(4)(f) Massachusetts General Laws Chapter 40B.

Site History / Context

As described by the applicant in prior Project materials, the subject site had been previously developed for a range of industrial uses, principally as an asphalt plant and gravel pit, which in recent years, prior to its revitalization and development for housing, had been primarily utilized for the storage of surplus / salvaged vehicles, construction equipment, and debris.

Primary Project Objectives

Construction of Phases V and VI of the "Meadows II" Rental Apartments Development Project will result in the continuation of the reclamation of a blighted and underutilized area, and continuing to generate meaningful new housing opportunities for underserved households which make significant contributions to the underlying economy of the Nantucket community. Phases V and VI of the "Meadows II" Rental Apartments Development Project will make available new, high quality, affordable and market-rate rental units which continue to be desperately needed on Nantucket, principally due to the lack of available rental housing and new construction of affordable housing of all types. Delivery of these additional units into the local housing inventory will serve to continue to incrementally mitigate the extremely high cost of market-rate rental housing which makes up the highest proportion of presently available stock within the Nantucket community.

Fulfilment of the Local Action Requirement by the Town of Nantucket

The Town of Nantucket fulfilled the local action requirement with respect to the overall project and the proposed modification to Phases V and VI of the Project, in cooperation with the Project Developer, by initiating and / or completing the following specific actions:

- (1) Supporting the Project Developer's citizen's petition to place on the Warrant of the Special Town Meeting held on November 9, 2015, certain articles, to wit Articles 1 and 2, which were duly adopted by said Special Town Meeting, enacting a new "workforce housing" zoning bylaw, which is incentive based, primarily utilizing density bonus and permit streamlining as trade-offs for the provision of higher proportions of AMI restricted affordable units that will be restricted in perpetuity;
- (2) Incorporating and codifying this Special Town Meeting approval as Chapter 139, Section 139-8(D) (Residential Development Options) of the Town of Nantucket Code; and
- (3) Issuing a Special Permit by the Town of Nantucket Planning Board for the development of the project on February 23, 2017.

The Town of Nantucket, acting by and through its Select Board, also entered into a cooperative Memorandum of Agreement (MOA) with the Project Developer, dated November 9, 2015, setting forth the obligations and responsibilities of the respective parties as related to the filing of applications for the proposed project as the first to be reviewed under the (then new) workforce housing zoning bylaw provisions, which specifically anticipated the submittal of an application for approval of the project to DHCD under the Local Initiative Program (LIP).

Signatures of Support for the Local Action Units Application

Chief Executive Officer:

defined as the mayor in a city and the board of selectmen in a town, unless some other municipal officer is designated to be the chief executive officer under the provisions of a local charter

Signature: _____

Print Name: Brooke Mohr, Chair

Town of Nantucket Select Board

Date: _____

Chair, Local Housing Partnership:
(as applicable)

Signature: _____

Print Name: Brian Sullivan, Chair

**Town of Nantucket Affordable Housing
Trust Fund**

Date: _____

Municipal Contact Information: Town of Nantucket

Chief Executive Officer

Name **Brooke Mohr, Chair**
Address **Town of Nantucket Select Board**
16 Broad Street, 1st Floor, Nantucket MA 02554
Phone **(508) 228-7255, Ext. # 1**
Email **bmohr@nantucket-ma.gov**

Town Administrator/Manager

Name **C. Elizabeth Gibson, Town Manager**
Address **Town of Nantucket**
16 Broad Street, 1st Floor, Nantucket MA 02554
Phone **(508) 228-7200, Ext. # 7305**
Email **TownManager@nantucket-ma.gov**

City/Town Planner (if any)

Name **Leslie Woodson Snell, Director of Planning**
Address **Town of Nantucket Planning & Land Use Services**
2 Fairgrounds Road, Nantucket MA 02554
Phone **(508) 325-7587, Ext. # 7025**
Email **LSnell@nantucket-ma.gov**

City/Town Counsel

Name **John W. Giorgio, Esq.**
Address **KP Law, P.C.**
101 Arch Street, 12th Floor, Boston MA 02110
Phone **(617) 654-1705**
Email **jgiorgio@k-plaw.com**

Chairman, Local Housing Partnership (if any)

Name **Brian Sullivan, Chair**
Town of Nantucket Affordable Housing Trust Fund
Address **3 East Chestnut Street, Nantucket MA 02554**
Phone **(508) 228-7200, Ext. # 7023**
Email **sully@fishernantucket.com**

Community Contact Person for this project

Name **Kristie L. Ferrantella, Housing Director**
Address **Town of Nantucket Administration**
16 Broad Street, Nantucket MA 02554
Phone **(508) 228-7200, Ext. # 7023**
Email **kferrantella@nantucket-ma.gov**

The Project

Developer(s):

Name **Richmond Meadows Two P5P6, LLC**
Address **23 Concord Street, Wilmington MA 01887**
Phone **(978) 988-3900 Ext. # 16 (Philip Pastan, Manager)**
Email **ppastan@richmondco.com**

Name **Richmond Great Point Development, LLC**
Address **23 Concord Street, Wilmington MA 01887**
Phone **(978) 988-3900 Ext. # 16 (Philip Pastan, Manager)**
Email **ppastan@richmondco.com**

Is your municipality utilizing any HOME or CDBG funding for this project? ☐ Yes ☒ No

Local tax rate per thousand **\$ 3.13 (residential) per \$1,000** for Fiscal Year **2024**

Site Characteristics

<u>Project Style</u>	<u>Total # of Units</u>	<u># of Units Proposed for LAU Certification</u>
Detached single-family house	0	0
Rowhouse/townhouse	0	0
Duplex	0	0
Multifamily house (3+ family)	0	0
Multifamily rental building(s)	55	27
	(Phases V and VI)	(Phase V and VI)
Other (specify)	0	0

Unit Composition

Type of Unit:	# of Units	# of BRs	# of Baths	Range of Livable Square Feet	Proposed Rents	Proposed Condo Fee
Condo Ownership Fee Simple Ownership Rental (Total for Phases V and VI)	55				See Below (Monthly) *	Not Applicable (Rental)
Affordable: (80% AMI)						
Studio Units	5	1	1	435 - 465	1,593	n/a
1 BR Units	6	1	1	674 – 760	1,816	n/a
2 BR Units	4	2	2	844 – 1,034	2,009	n/a
3 BR Units	2	3	3	1,042 – 1,072	2,206	n/a
Affordable: (110% AMI)						
Studio Units	0	n/a	n/a	n/a	n/a	n/a
1 BR Units	4	1	1	674 – 760	2,730	n/a
2 BR Units	1	2	2	844 – 1,034	3,139	n/a
3 BR Units	0	n/a	n/a	1,042 – 1,072	n/a	n/a

Affordable: (120% AMI)						
Studio Units	2	1	1	435 - 465	1,950	n/a
1 BR Units	1	1	1	674 – 760	2,730	n/a
2 BR Units	2	2	2	844 – 1,034	3,445	n/a
3 BR Units	0	n/a	n/a	n/a	n/a	n/a
Market Rate:						
Studio Units	7	1	1	435 - 465	2,300	n/a
1 BR Units	9	1	1	674 – 760	3,200	n/a
2 BR Units	7	2	2	844 – 1,034	4,200	n/a
3 BR Units	5	3	3	1,042 – 1,072	6,000	n/a

***Note:** The Monthly Rents shown for the “Affordable” Units are Net Rents (Net of the Applicable Utility Allowances) Based on the applicable range of FY 2023 Department of Housing and Urban Development (HUD) (80% AMI, 110% AMI, and 120% AMI) Income Limits and Formulas for Nantucket County.

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)
2. Long-Term Use Restrictions (request documents before submission):

For ownership projects, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes, and/or the model deed rider.

For rental projects, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.

For HOME-funded projects, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.

3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:
 - appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
 - mortgagee consents to the Regulatory Agreement
 - Trustee certificates or authorization for signer(s) to execute all documents
 - Copy of Site Plan
4. For Condominium Projects Only: The Master Deed with schedule of undivided interest in the common areas in percentages set forth in the condominium master deed
5. For Rental Projects Only: A copy of the lease with lease addendum and Local Housing Authority's current Utility Allowances
6. MEPA (Massachusetts Environmental Policy Act) environmental notification form (ENF) for new construction only (request form before submission)
7. Affirmative Fair Marketing and Lottery Plan, including:
 - ads and flyers with HUD Equal Housing Opportunity logo
 - informational materials for lottery applicants
 - eligibility requirements
 - lottery application and financial forms
 - lottery and resident selection procedures
 - request for local preference and demonstration of need for the preference
 - measures to ensure affirmative fair marketing, including outreach methods and venue list
 - name of Lottery Agent with contact information

See Section III of the Comprehensive Permit Guidelines at: <http://www.mass.gov> (enter LIP 40b guidelines in Search field) for more information.

PLEASE contact our office if you have any questions: 617-573-1328.

ITEM VIII- Lease to Locals

LEASE TO LOCALS

powered by  placemate

Affordable Housing Trust

July 9, 2024

Agenda

- June 25 AHT Meeting questions answered
- Vote on request for funding for Lease to Locals Pilot Phase 2

June 25 AHT Meeting



Lease to Locals Relaunch

Discussion/Questions from June 25 AHT meeting

Program Questions:

- Fair Housing Act (Question for Town Counsel)
- Placemate's data policy / Town's security policy
- Finance Dept sign off on this and the use of funds
- What percentage of Phase 1 Pilot properties would renew with additional incentive

Policy Questions:

- Income Limit
- Blood Relation Discussion
- Max # of grants per Property Ownership group
- Rental Caps

Program Relaunch



Lease to Locals Phase 1 Pilot Results

Expected Retention

Questions we wanted to answer:

- Would the property owner renew with an additional incentive equal to 50% of the original incentive

Secondary questions to discuss:

- Would the tenants qualify with new income/employment caps?
- Would the pilot phase 1 property qualify under new proposed rent caps?

Proposed Rent Caps:

Unit Size	Max Rental Rate
Private Room	\$1,500
Studio	\$2,000
1BD	\$2,700
2BD	\$3,500
3BD+	\$4,000



Property Street Name	Grant	Home Type	Prior Property Use	Renewal with 50% incentive
	\$18,000	ADU	Short-Term Rental	Yes
	\$4,500	Room in Shared Home	Short-Term Rental	Yes
	\$4,500	ADU	New Construction	Yes
	\$9,000	ADU	New Construction	Yes, but >50%
	\$18,000	Condo/Townhouse	Seasonal Rental	Yes
	\$18,000	MF - Duplex, Triplex, etc	Empty Second Home	Yes
	\$27,000	Full Single Family House	Primary Residence	Yes
	\$27,000	Full Single Family House	Primary Residence	Yes, but >50%
	\$27,000	MF - Duplex, Triplex, etc	Recently Purchased	Yes, but >50%
	\$27,000	Condo/Townhouse	Seasonal Rental	Yes
	\$18,000	Condo/Townhouse	Short-Term Rental	Yes
	\$27,000	Full Single Family House	Short-Term Rental	-
	\$9,000	ADU	Seasonal Rental	Undecided
	\$27,000	Full Single Family House	Empty Second Home	Yes, but >50%
	\$4,500	Room in Shared Home	Short-Term Rental	Yes
	\$18,000	Full Single Family House	Short-Term Rental	-
	\$9,000	ADU	Short-Term Rental	Yes
	\$27,000	Full Single Family House	Short-Term Rental	Yes
	\$27,000	Full Single Family House	Empty Second Home	Yes
	\$27,000	Full Single Family House	Short-Term Rental	Yes
	\$14,000	MF - Duplex, Triplex, etc	Seasonal Rental	Yes
	\$4,500	Room in Shared Home	Primary Residence	Yes

Reached 19 out of the 22

current pilot property owners

- 0/19 respondents indicated they would not renew
- 15/19 respondents indicated would renew with 50% incentive
- 4/19 respondents indicate that would only renew with >50% incentive
- 1/19 respondent is undecided

Lease to Locals Phase 1 Pilot Results

Expected Retention

Property Owner Feedback (would only renew with >50% incentive)

“ It’s not enough. We know our tenant wants to stay but we are not sure she will be able to afford and increase in rent by \$375/month. We need the income to maintain the property with the increase taxes and insurance rates. ”

“ I would say that it’s between 50% and 100%. The offer is encouraging, however it is a very low number compared to what we could get if we went to weekly rentals. We have not yet decided our next step. We would like to keep the tenants as they are great, but also need to do what is best for our family and the extra income from weeklys would go a long way.”

“ I would like to renew with my tenants but I couldn’t afford the difference if it’s not the same amount as this past year, especially with only 50% paid upfront and 50% paid at the end of the lease, I as the property owner am then required to pay the difference until reimbursement. I vote 50% it’s not enough money, or I would be ok to renew for multiple years if the grant amount stayed the same or I could increase rent amount to \$6,000 a month to cover the difference. ”



Property Street Name	Grant	Home Type	Prior Property Use	# Bedrooms	Rent Price	In compliance with new rent cap?
	\$18,000	ADU	Short-Term Rental	1	\$1,500	Y
	\$4,500	Room in Shared Home	Short-Term Rental	1	\$1,400	Y
	\$4,500	ADU	New Construction	1	\$2,500	N
	\$9,000	ADU	New Construction	1	\$3,500	N
	\$18,000	Condo/Townhouse	Seasonal Rental	2	\$3,500	Y
	\$18,000	MF - Duplex, Triplex, etc	Empty Second Home	2	\$2,500	Y
	\$27,000	Full Single Family House	Primary Residence	3	\$3,800	Y
	\$27,000	Full Single Family House	Primary Residence	3	\$4,000	Y
	\$27,000	MF - Duplex, Triplex, etc	Recently Purchased	3	\$5,000	N
	\$27,000	Condo/Townhouse	Seasonal Rental	3	\$3,200	Y
	\$18,000	Condo/Townhouse	Short-Term Rental	2	\$3,000	Y
	\$27,000	Full Single Family House	Short-Term Rental	2	\$3,850	N
	\$9,000	ADU	Seasonal Rental	1	\$3,000	N
	\$27,000	Full Single Family House	Empty Second Home	3	\$3,750	Y
	\$4,500	Room in Shared Home	Short-Term Rental	1	\$1,500	Y
	\$18,000	Full Single Family House	Short-Term Rental	4	\$3,500	Y
	\$9,000	ADU	Short-Term Rental	1	\$2,700	N
	\$27,000	Full Single Family House	Short-Term Rental	3	\$3,900	Y
	\$27,000	Full Single Family House	Empty Second Home	3	\$4,500	N
	\$27,000	Full Single Family House	Short-Term Rental	2	\$5,000	N
	\$14,000	MF - Duplex, Triplex, etc	Seasonal Rental	1	\$3,500	N
	\$4,500	Room in Shared Home	Primary Residence	1	\$1,500	Y

9/19 respondents would be out of compliance if we held them to the current rent caps

Lease to Locals Pilot Phase 2

Budget and AHT request

Asking AHT to fund Pilot Phase 2 incentives for up to \$450,000

Approximately \$320k for new Property Owners

Approximately \$130k for Pilot Phase 1 renewals

Program Policies Discussion: **Staff recommendation in Bold**

- Add in income restriction per qualified tenant (max 175% AMI / \$187,600)? **Yes**
 - Private funds used where Pilot Phase 1 qualified tenants that are >175% AMI
- Qualified tenants can not be of blood relation unless property is converted from active short-term rental? **Yes**
- Max number of 2 grants per Property Ownership group? **Yes**
- Pilot Phase 1 Incentive at 50% of original incentive amount for Year 2 renewal **Yes**
- Keep Rental Caps as is or require Rental Cap be Unit Size? **Add Rent Caps by Unit Size**
 - If we do add in rental caps by unit size what do we do with Phase 1 pilot property owners?
Don't hold Ph 1 pilot property owners to new rent caps, but limit rent increases to max 5%

ITEM IX - Year-Round Deed Restriction Pilot Program



Nantucket Affordable Housing Trust Fund Pilot Year-Round Housing Restriction Program Guidelines



The Nantucket Affordable Housing Trust (NAHT) is offering a pilot program to create year-round housing as described in these Program Guidelines. The purpose of this program is to provide housing stability, security, and affordability for people living or working year-round in Nantucket. Toward that end, the NAHT will offer a financial incentive to Nantucket property owners to place a permanent deed restriction limiting the sale or rental of their homes to year-round resident residents of Nantucket. The NAHT will hold the deed restriction on behalf of the Town of Nantucket.

The NAHT has determined that investing public funds in this program is necessary for the quality of life in Nantucket and the well-being of its residents. Due to Nantucket's international recognition as a desirable place for owning a seasonal or vacation home, there is not enough housing that is both affordable to and available for purchase or rent by people who make the town a true community: those who work for the Town and other employers on the island, the small businesses that provide services to year-round residents, seasonal residents, and visitors, and the civic volunteers and retired residents who live here full-time.

Today, the Town of Nantucket and other local employers have job vacancies they cannot fill due to the shortage of reasonably priced housing available for purchase or rent. Although participation in the Nantucket Year-Round Housing Pilot Program is not limited to people who currently work full-time in Nantucket, it is designed to create year-round housing opportunities now to provide housing island's current and future workforce.

During the effective period of Pilot Program period, the AHT's total investment in year-round restriction purchases shall not exceed \$2,000,000.

Basic Program Requirements

Program Administrator

Nantucket Affordable Housing Trust

Eligible Participants

Existing or prospective year-round property owners with a total household income not exceeding the household income limits established by the AHTF.

Year-Round Resident

In this program, year-round resident means a household living in Nantucket for a minimum of 10 months in any one-year period.

Nantucket Employee

The term “Nantucket Employee” includes any of the following:

- A year-round resident employee working in Nantucket who works at least 30 hours per week, on average, on an annual basis or earns 75% of her income and earnings by working for a Nantucket employer establishment; or
- A year-round resident who derives income from self-employment whose business is in Nantucket, or
- A non-resident who has accepted a full-time job offer from a Nantucket employer establishment and is searching for housing in Nantucket.

For purposes of this definition, a person who works primarily on a “remote” basis shall not count as a Nantucket Employee. Remote work is a flexible work arrangement in which an employee, under a written remote work agreement, is scheduled to perform work at an alternative worksite and is not expected to perform work at the employer’s worksite on a regular and recurring basis.

Nantucket Employer Establishment

A public, non-profit, or private employer whose place of business is in Nantucket and where paid employees provide services or conduct commercial or industrial operations in Nantucket.

Nantucket Year-Round Housing Deed Restriction

The Program requires a deed restriction to be recorded with the Nantucket County Registry of Deeds or if registered land, filed with the Nantucket Registry District of the Land Court, to preserve the land and building(s) thereon as a year-round residence. The restriction can be sold to the AHTF by existing property owners or created during the acquisition of a property by a

year-round resident. Existing homeowners would be able to collect a certain percentage of their equity by placing a year-round restriction on their property.

Term of Restriction

The deed restriction is perpetual and runs with the property and all future resale transactions. The property must remain the primary residence of the Eligible Participant and any future buyer. Eligible Participants agree to recertify their eligibility as an Eligible Participant annually.

Maximum Household Income

Year-round residents occupying a deed-restricted property shall have total household income that does not exceed 240 percent of the Nantucket County Area Median Income (AMI) Limits, adjusted for size, established by the U.S. Department of Housing and Urban Development (HUD). The following chart contains the maximum household income limits that apply to the program.

Household Size	2024 Income Limits			
	50% AMI	100% AMI	175%	240% AMI
1	\$53,600	\$107,200	\$187,600	\$257,280
2	\$61,250	\$122,500	\$214,375	\$294,000
3	\$68,900	\$137,800	\$241,150	\$330,720
4	\$76,550	\$153,100	\$267,925	\$367,440
5	\$82,700	\$165,400	\$289,450	\$396,960
6	\$88,800	\$177,600	\$310,800	\$426,240

*Calculation of 100%, 175%, and 240% AMI is based on the 50% income limits set annually by the U.S. Department of Housing and Urban Development (HUD).

Maximum Affordable Purchase Price of The Property

The maximum affordable purchase price refers to the price affordable for a year-round resident household whose income does not exceed the Maximum Household Income. In no event shall the resale price of a deed-restricted home exceed the home's market value. Based on 2024 Income Limits at 240% AMI, the maximum affordable purchase price for a single-family dwelling is approximately \$1.2 million and for a condominium, approximately \$912,000. The maximum affordable purchase price will fluctuate based on prevailing interest rates and other factors.

Incentive for Increased Affordability

The Program Administrator may provide additional funding to a first-time homebuyer in the form of a purchase price buydown to create a year-round unit affordable to Eligible Participants with annual household income not exceeding 175% AMI. The buydown assistance will be

secured by an affordable housing deed restriction that incorporates all the provisions of the Nantucket Year-Round Resident Deed Restriction in addition to a resale price capped at an amount affordable to households with income not exceeding 175% AMI.

Eligible Properties

Eligible properties shall include detached single-family homes, condominiums, townhouses, or duplexes taxed as residential real estate in the Town of Nantucket, not encumbered by any other restriction, right of first refusal, or any type of land use regulatory restriction that would conflict with the purposes of the Nantucket Year-Round Housing Program. For homes with an existing mortgage, the mortgage lender will be required to accept a subordination agreement establishing the Year-Round Restriction as the superior claim against the property.

Primary Residence

The deed-restricted year-round unit must be occupied by an Eligible Participant as their primary residence, i.e., living and working in Nantucket at least 10 months in any one-year period, or if retired, living in Nantucket at least 10 months in any one-year period.

Short-Term Rental Prohibition

No dwelling unit on a deed-restricted year-round property shall be used as a short-term rental as defined in Chapter 123 of the Town of Nantucket Code.

AHTF Payment

The AHTF's payment for a year-round deed restriction shall be the minimum necessary to achieve the Program's purposes, but in no event more than 20 percent of the market value of the home.

Annual Recertification

Eligible Participants must certify their eligibility as a Year-Round Resident annually.

Future Resale

The Program Administrator shall approve all future buyers. A waitlist of Eligible Participants will be maintained by the AHTF.

Application; Processing

Application may be made by:

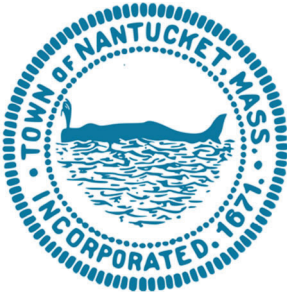
- The current property owner/year-round resident who wishes to convey a year-round deed restriction to the AHTF, subject to a negotiated payment;
- The year-round resident/homebuyer who is negotiating a purchase-and-sale ((P&S) agreement with an owner willing to accept payment for the restriction at the point of sale;

The Program Administrator will review and render a decision within two weeks of receipt of a complete application from an Eligible Participant. Upon notification of approval, the Eligible Participant will execute a deed restriction purchase agreement with the AHTF.

Other

The following conditions and limitations shall apply to the Program:

1. Existing property owners interested in participating in the Program should consult with a qualified financial advisor or an attorney about the potential tax or estate implications of conveying a year-round deed restriction to the AHTF.
2. The Eligible Participant may not own any other residential real estate at the time of purchase or for the period during which the Eligible Participant owns the property.
3. Inter-family transfers of a dwelling that is subject to a Year-Round Deed Restriction are expressly prohibited.
4. Property with an existing Right of First Refusal is not eligible for the Program.
5. The Eligible Participant owning a deed-restricted dwelling may rent other dwellings on the restricted property provided the other dwellings are also rented to year-round residents as that term is defined in these Program Guidelines.
6. Applications may be denied based on the physical condition of the proposed property, concerns with the purchase agreement or a determination that the deed restriction purchase is not in the best interest of the Town.
7. These Guidelines are subject to change and changes are binding upon the applicant.
8. The availability of funding from this Program is subject to appropriation by Nantucket Town Meeting and housing market conditions.



Application Nantucket Year-Round Housing Restriction Program



Applicant Information:

1. Applicant's Name:

First Name	Last Name
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2. Present Address:

Street and Street Number		
Town	State	Zip
Email		Phone

3. Are you currently employed in Nantucket?

☐ Yes ☐ No

4. If not, which if the following applies to you, the Applicant:

- ☐ I have accepted a full-time, year-round job on Nantucket and I am looking for housing
- ☐ I am an existing year-round resident and I plan to continue living in my home as a year-round resident after the deed restriction is approved by the Town and recorded with the Nantucket County Registry of Deeds
- ☐ Other (please explain):

5. What entity is or will be your full-time employer, if applicable? Please provide employer name, address, and contact information:

Property Information:

6. Address of Nantucket Property to be Year-Round Restricted

Street and Street Number

7. Unit Type:

- ☐ Single-Family
☐ Condominium
☐ Townhouse
☐ Duplex

- ☐ Single-Family with additional units on the property, e.g., accessory or tertiary dwelling units
☐ Other (Explain):

8. Characteristics:

Number of Bedrooms:	
Number of Bathrooms:	
Number of Parking Spaces:	
Heating System/Fuel:	

Applicant Type:

9. Do you own this property or are you purchasing it?

- ☐ Existing owner ☐ Purchaser

10. If you are the Purchaser, have you entered into a Purchase and Sale Agreement?

- ☐ Yes ☐ No

11. If yes, what is the Contract Price?

\$

12. If yes, by what date do you need a decision?

13. If you are the existing property owner, is there a mortgage or other lien against the property?

- ☐ Yes ☐ No

Please explain:

14. Is there a Right of First Refusal on the property?

☐ Yes

☐ No

15. Is there an existing Homeowners Association?

☐ Yes

☐ No

16. Do you intend to live on the Property as a year-round resident of Nantucket?

☐ Yes

☐ No

Applicant Signature:

I/we certify that all information and statements provided in this Application are complete and truthful, and that I am providing or will provide the documentation required for the Program to review and act on this Application.

Applicant's Signature

Date

Additional Information Required:

Application must be accompanied by the following documentation in order to be considered a complete application:

Evidence demonstrating that you are an existing year-round resident (e.g., property tax bill, utility bill showing the property address and ownership, purchase and sale agreement if application is submitted by prospective homebuyer):

- Documentation of Nantucket employment, where applicable
- Documentation of Annual Household Income, including all adult members of the household
 - Most recent federal income tax returns (two years), including Form 1040 and all associated forms and schedules
 - Pay stubs
 - Bank statements demonstrating regular income
 - Documentation (e.g., determination letters) for other sources, such as Social Security, SSI
 - Verification letter for pension or annuity

Questions	Staff Recommendation
Can the property be rented year-round, or does it need to be owner occupied?	Allow YR rental
If rented year-round, does the tenant need to be income-qualified at 240% or less and be an employee on Nantucket?	Yes
If yes, will it be on the AHT to income qualify the tenant?	I propose setting up an agreement with an agency to do the income qualification and have it be a part of the application and annual review paperwork
The guidelines say it needs to be occupied 10 months out of the year. Can the other two months be rented long term (aka no STR) if yes, does the tenant need to be income qualified and does the tenant need to be an employee within Nantucket?	Yes, as long as the two months have rentals longer than 31 days; tenant must meet program qualifications Yes
Will the Trust be doing an inspection of the property? What if it's not in good condition? How would we rate the condition?	I would recommend that part of the application include an affidavit certifying that there are no known code violations on the property; In addition, the RFP could rate homes in poor quality as least advantageous
Will the Trust have any rating with respect to coastal resiliency? Are we willing to accept deeds on properties that are at high risk?	I would recommend that the RFP rate homes above potential coastal flood zones to high advantageous
The definition of "Nantucket Employee" is defined on page 2 of the guidelines but then is not used anywhere else in the guidelines or the application. Is it required that you be a Nantucket Employee for this pilot program? If yes, the AHT should consider adding a provision, like Provincetown did with their Lease to Locals, to include "any person who serves on a Town board or community nonprofit."	Recommend that qualified applicants include: 1. Employed with an employer based in Nantucket; 2. Already a full-time resident of Nantucket and contributing to the Nantucket community by serving on a Town Board/Committee, volunteering with a local organization, participating in the town's cultural scene, or providing a similar benefit to the community; and 3. A person unable to work or who does not have a work history due to qualifying for disability as defined by the Americans with Disabilities Act (ADA). (Stale from Provincetown's guidelines).
Does remote work count if you live year-round but work for a company based elsewhere?	See comment above
Does a home need to have home insurance for the Town to purchase a deed restriction?	My suggestion is that the applicant must already be living here full time to qualify under this guideline; otherwise the intent of the program may not be fulfilled
Does the deed restriction follow the parcel if it's subdivided? Or would the new lot created be unrestricted?	<i>Need Town Counsel's recommendation</i> <i>Need Town Counsel's recommendation</i>
Are there criteria for why someone would get rejected?	The application will ultimately go through a Request for Proposals (RFP) from the finance department and would have guidelines on what is advantageous vs least advantageous. See attached draft RFP
Will there be an ability to apply for a hardship waiver. What if the owner of the home passes a way and the family needs time to re-occupy it?	My recommendation is to deal with this on a case by case basis when we do the annual audit of the property
Is there a fee for noncompliance	<i>Need Town Counsel's recommendation</i>
Does owning a time-share disqualify you from participating in the program?	<i>Need Town Counsel's recommendation</i>
Is the Deed restriction re-sell-able? I.e., could a homeowner pay back the Trust and remove the deed restriction?	<i>Need Town Counsel's recommendation</i>
If you move the house off the site, does the deed follow the home or only remain on the parcel?	<i>Need Town Counsel's recommendation</i>
Why exclude Blood Relatives from the program?	This is what most programs do; Given the unique circumstances of Nantucket, I would reconsider to allow blood relatives to apply; it may be the only way they can purchase their parent's property <i>there should be a market rate transaction.</i>
Can Local Businesses Apply?	Yes, as long as the tenant is an employee and has a YR lease
Can Developers apply if building homes for sale or rent to local workers?	Yes, as long as the future owner/tenant meetings the qualification criteria
Does the homeowner get the appraisal or does the Trust?	Other programs require the homeowner to get an appraisal; Brian Turbit would prefer that the Town order an independent appraisal; I would request that the homeowner submit one and then if the Trust is interested in pursuing the property, we would order one as well, otherwise we may be paying for a lot of appraisals
Could potential home buyers apply for the program without the property in mind to have approval before they search for a home?	The Program in Truckee, CA allows potential homeowners to apply but they do not give an amount of the grant until the homeowner re-applies with a potential home. This way the buyer knows they will have buy down assistance but does not approve a funding amount until they have a house to purchase. I would recommend Nantucket adopt the same approach
Will the Trust be managing the program in house and will approval really be within 14 days?	As the director of housing I would recommend that 30 days be given to review information and bring it to the Trust for a vote; In talking with other programs - they hire outside organizations to manage their deed restriction. I would recommend that year 1 be managed in house and future years could be outsourced with an RFP
Can you provide a copy of the Deed to show to mortgage lenders?	The Trust will provide a sample copy of the deed with the release of the guidelines and application through the Finance Department

Will the Deed restrict future development of the site, or could the homeowner request that?	I would propose that no new units be added unless allowable by current zoning. If the homeowner wanted to add that to the deed, we would need town counsel review and may negotiate price based on details
Is there a limit on the number of properties I can restrict?	I would recommend that as a pilot program, we should restrict to two properties per owner
Would the Trust consider a different resale value that prevent price from being dependent on interest rates?	Truckee, CA's program allows a 3% increase a year. I could look into other models as well