



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)

Committee / Board	AFFORDABLE HOUSING TRUST
Day, Date, and Time	TUESDAY, August 20, 2024 @ 12:30 PM
Location / Address	REMOTE PARTICIPATION VIA ZOOM (<i>See Below</i>) 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 08-20-24

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/89074589017?pwd=38P10GohDOzZXsIFOUuNuY87g5d7hfG.1>

Meeting ID: 890 7458 9017

Passcode: 976312

-
- I. Call to Order
 - II. Approval of Agenda – ACTION
 - III. Public comments *for items not listed on the agenda.*
 - IV. Approval of Minutes – ACTION

- August 6, 2024

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

- V. Affordable Homes Act - UPDATE
- VI. Special Town Meeting Housing Articles Review – DISCUSSION
- VII. Year-Round Deed Restriction Pilot Program – DISCUSSION/ACTION
- VIII. Other Business
 - Next Meeting:
September 10, 2024, at 12:30pm
- IX. Board Comments
- X. 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 8C Thirty Acres, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Affordable Housing Trust Members and the Chair so Declares
 - 3. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 10 Parker Lane and 55 Fairgrounds 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
 - 4. Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property

Regarding 15A Park Circle, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Affordable Housing Trust Members and the Chair so Declares

XI. Adjourn



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

APPROVAL OF THE AUGUST 6TH MEETING MINUTES

NANTUCKET AFFORDABLE HOUSING TRUST

~~ MEETING MINUTES ~~

TUESDAY, August 6, 2024.

Remote Meeting via Zoom– 12:30pm

Trust Members: Brian Sullivan (Chair), Abby De Molina, Meg Browers, Forest Bell, Shantaw Bloise-Murphy, Penny Dey, Tom Dixon

ATTENDING MEMBERS: Forest Bell, Tom Dixon, Meg Browers, Abby De Molina, Brian Sullivan and Penny Dey

STAFF IN ATTENDANCE: Kristie Ferrantella (Housing Director), Ellis Ramos(Housing and Real Estate Office Manager)
Rachel Field (Property Manager for the Town), Lee Smith (Town Counsel)

SPEAKERS IN ATTENDANCE: Judi Barrett (Barrett Planning, LLC) , Stephen Maury(13 /13A Woodland Drive developer)

I. Call to Order

Brian Sullivan called this meeting to order at 12:38 p.m.

II. Approval of Agenda – ACTION

III. Public Comments for Items Not Listed on the Agenda

Kristie Ferrantella welcomed Abby De Molina to the Affordable Housing Trust Fund.

Penny Dey thanked Dave Iverson for all his years of service on the Affordable Housing Trust.

IV. Approval of Minutes – ACTION

• July 30, 2024

Penny Dey made a MOTION to approve the meeting minutes for the July 30 meeting. Meg Browers seconded this motion.

ROLL CALL of those participating:

1. Forest Bell – Aye
2. Meg Browers – Aye
3. Tom Dixon – Aye
4. Penny Dey – Aye
5. Abby De Molina – Aye
6. Brian Sullivan – Aye

V. Announcements

• Housing Department review of Strategic Plans - Housing Goals at Select Board Meeting on August 7, 2024, at 5:30 p.m.

Kristie Ferrantella said that this has changed since posting the agenda. She was originally supposed to present the update on housing strategic plan goals to the Select Board at the July meeting, but that got delayed due to Vinyard Winds. She said they rescheduled it for the 7th, and that got delayed once again. When it gets rescheduled, she will make sure to let the Trust members and the public know.

VI. Election of Officers – DISCUSSION/ACTION

- CHAIR
- CO-CHAIR

AFTH Meeting on August 6, 2024, at 12:30pm

Penny Dey made a MOTION to nominate Brian Sullivan as the Chair of the Affordable Housing Trust. Tom Dixon seconded this motion.

ROLL CALL of those participating:

1. Meg Browers – Aye
2. Penny Dey – Aye
3. Tom Dixon – Aye
4. Abby De Molina – Aye
5. Forest Bell – Aye
6. Brian Sullivan – Aye

Brian Sullivan was elected Chair of the Affordable Housing Trust Fund.
Meg Browers volunteered to be the Vice-Chair of the Affordable Housing Trust.
Penny Dey also volunteered to be the Vice-Chair of the Affordable Housing Trust.

Brian Sullivan took a vote by roll call of those in favor of Meg Browers being the Vice-Chair of the Trust.

ROLL CALL of those participating:

1. Abby De Molina – No
2. Meg Browers – Aye
3. Tom Dixon – No
4. Forest Bell – No
5. Penny Dey – No
6. Brian Sullivan – No

Brian Sullivan took a vote by roll call of those in favor of Penny Dey being the Vice-Chair of the Trust.

ROLL CALL of those participating:

1. Abby De Molina – Aye
2. Meg Browers – No
3. Tom Dixon – Aye
4. Forest Bell – Aye
5. Penny Dey – Aye
6. Brian Sullivan – Aye

Penny Dey was elected Vice-Chair of the Affordable Housing Trust Fund.

VII. Discussion of a Deputy Housing Director Position – DISCUSSION/ACTION

Kristie Ferrantella said that housing is number one on the strategic plan for the Select Board. She said the office has been growing as they've focused on affordable and municipal housing, advocacy efforts around the Transfer Fee, and other projects. She said when she stepped into this role, it was very apparent that she needed some support in this position.

Kristie Ferrantella said that she had a discussion with the Town Manager and the Finance Department about hiring a Deputy Housing Director, but there will be several years before Town Administration has the funds for this position. She said that Brian Turbitt's recommendation was to ask the Trust to allocate a portion of the \$6,500,000

override towards funding this position. She has spoken with Lee Smith and John Georgio about how this may work, and they are still figuring out the mechanics. The idea at the moment is that the Trust would give the Town a grant to cover the employment expenses for this person to assist the Housing Office with all its projects.

Kristie Ferrantella said she wanted to bring this request for funding before the Trust. She has a job description that has been approved by the union, and she is going through all the due diligence.

Tom Dixon made a MOTION to approve the request for funding for the Deputy Housing Director position as presented by Kristie Ferrantella. Forest Bell seconded this motion.

ROLL CALL of those participating:

1. Forest Bell – Aye
2. Meg Browers – Aye
3. Penny Dey – Aye
4. Tom Dixon – Aye
5. Abby De Molina – Aye
6. Brian Sullivan – Aye

VIII. Presentation by Stephen Maury on a Proposal for a Housing Development at 13 and 13A Woodland Drive – DISCUSSION

Stephen Maury said that as a preliminary matter he wanted to clarify that this is not a proposal, but just a discussion that he also intends to have with other audiences to see if this is moving in the direction of a proposal that could be supported by the community at large. He said the goal in his pursuit of this property for the past two years has been to align with the Housing Production Plan, which identified these two sites (13 and 13A Woodland Drive) as suitable locations to explore for housing development. He said he is looking to produce community housing for first responders, firefighters, teachers, healthcare professionals, and the police. He mentioned that he has spoken with attorneys and while it's not easy to restrict property to certain occupations, there are ways to do so.

Stephen Maury shared a presentation with the Trust, including quotes from the Police Chief, Fire Chief, School Superintendent, and other community members seeking housing support from the Town. He said he will bring this to the September Town Meeting in the form of two articles: one zoning article and one sewer map change proposal article. He intends to engage in a discussion about whether this is the type of housing development that the community can support.

Stephen Maury shared a GIS map of the sites in question and said they are cleaning up the site to make it suitable for housing development. They are working on traffic circulation and other details, but those discussions will occur later at the Planning Board level. He clarified that the intention is not to connect the Richmond development to Skyline Drive, but there is an option to have traffic circulate from Harvey Road and a bit of Clay Street into the property, which is within the rights of these private property owners and the Town of Nantucket.

He shared a slide with a picture of the entrance of the development on Woodland Drive, noting that there is an open space planned for public green space. He said this is a small-scale development, from one story to one and a half stories, compared to the Trustworthy Sachem's Path, and parking is around each pocket neighborhood. He said the development will have 40 units, including one-, two-, and three-bedroom units, which is the maximum achievable under the R5 zoning with the Flex development slots. He mentioned that granting those bonus slots is at the purview of the Planning Board, HDC, and sewer negotiations, among other things he is still working out. He plans to record a deed restriction on the property that any dwellings would be limited to year-round occupancy,

which would take effect upon the zoning change. It's too soon to say if it could limit affordability because of the timing of construction.

Forest Bell asked Stephen Maury how he intends to give essential workers the "first look" at the development and how he would prevent others from having the first look. Stephen Maury said that initially, he thought he could restrict the sale of the units to people holding certain occupations, but he was advised that this might create liability for them and future owners when they sell the property. By "first look," he meant advertising in places where people holding those occupations would see it before others and possibly even place an offer.

Brian Sullivan asked Stephen Maury about the level of affordability he is discussing: is it 100% AMI or below, or accessible and attainable up to 240% AMI? Stephen Maury said that under the current terminology, "accessible and attainable" would be more appropriate.

Penny Dey said that she applauds what he is trying to do but would support it if it were in an area that didn't require a zoning change. She also asked why 13A is zoned R20 and 13 is zoned LUG2. Stephen Maury explained that there were title concerns in the past with the 13A section, so it was pulled out from the original subdivision, and the property owner never added it back in.

Some discussion followed.

Abby De Molina said that this was reviewed by the Planning Board as one of the articles, and they recommended taking no action, as did the Finance Department. She said although she appreciates what he wants to do, making a large zoning change is something the community is not comfortable with at this time.

Some discussion followed. Abby De Molina mentioned that since the Planning Board recommended taking no action, it would take a 2/3 vote to pass at the Annual Town Meeting. However, if someone makes a positive recommendation at Town Meeting, it could pass by majority vote because it is a housing article and Nantucket is a Housing Choice community.

Stephen Maury clarified that the Planning Board's recommendation was to not adopt, meaning that if the article did not pass, it could not be presented again for two years.

Some discussion followed.

Feedback from Community Members

Suzanne Daub said that she has lived on Skyline Drive for 40 years and that most of the residents are year-round residents. She said they have been surrounded by issues over the past few years that they were not expecting. The residents of these neighborhoods would want to hear more about traffic circulation, how the sewer will affect them, whether the proposed green space will be maintained, and how many cars they are expecting with the density of 40 units.

Arthur Gasbarro said it has been made very clear that the intent is good, but the site is not appropriate. It's in the Country Overlay District and lacks proximity to public transportation. He said that if the Trust were to support this, the access is to Woodland Drive, which means a lot of traffic will be dumped onto Old South Road and Surfside Road. The conversation about traffic needs to happen before any decision is made.

Mathew Peel said that he sits on the Surfside Neighborhood Association, which voted unanimously against this development. He commends the effort but agrees with others that this is not the right site for it.

AFTH Meeting on August 6, 2024, at 12:30pm

Meghan Perry highlighted concerns about dense developments and whether it's best for the community. She said that these specific properties were brought to two members of the Affordable Housing Trust a few years ago, and they said at that time it was not of interest, so she finds it odd that it would be of interest now.

Brian Sullivan clarified that when the property was brought to the Trust, the purchase price was deemed too expensive for development and considering all the other issues.

Jay McConnell said he has lived on Woodland Drive for over 30 years, with about 12 houses on the street, totaling approximately 24 to 50 cars. Adding the proposed 40 homes would add another 100 cars, according to the 100 parking spots shown in the proposal. He said more cars would eventually spill onto Skyline Drive, which recently had updates due to PFAS. He mentioned that the roads in that area are not meant to handle that much traffic, there are no sidewalks, and Airport Road is not paved, so it's unsafe for year-round kids to ride their bikes. He said if the town wants to create the housing it says it needs, it should create the infrastructure to support it.

Brian Sullivan thanked Stephen Maury for the presentation and said that the Trust would follow up with thoughts and questions in the future.

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

Kristie Ferrantella said this has been on the agenda for several months as they are trying to finalize the guidelines for the year-round deed restriction pilot program. She said there was a lot of feedback from the July 9 meeting where they addressed a significant number of questions from the community. Judi Barrett worked them into a new version of the guidelines, and now she is looking for final feedback.

Judi Barrett asked, "Why exclude blood relatives from the program?" She said Kristie's spreadsheet indicates that most programs do, but she thought the Trust was not comfortable with that decision.

Brian Sullivan said that at this moment they will hold it out of the pilot program because they received feedback from the Finance Department to postpone it for now.

Penny Dey said she understands keeping it out of the pilot program but wouldn't completely rule it out for the future.

Judi Barrett asked if local businesses could apply for the program, and they said that as long as the tenant is a year-round employee with a year-round lease.

Judi Barrett's next question was, "Can developers apply if they are building homes for sale or rent for local workers?" Brian Sullivan said they would like to keep that out of the pilot program because they are focusing more on individual owners.

Some discussion followed.

Judi Barrett asked if homeowners would get the appraisal, or if the Trust would do it. She said the Finance Director suggested the Town should get an independent appraiser.

Penny Dey said they should keep it as easy as possible for homeowners, and getting and paying for an appraisal could be a stumbling block for some of them.

Some discussion followed.

AFTH Meeting on August 6, 2024, at 12:30pm

Brian Sullivan suggested that the application could include an estimate value from homeowners versus a licensed appraisal value, giving homeowners the opportunity to establish the value for themselves.

Judi Barrett asked if the Trust would be managing the program in-house. Kristie Ferrantella said the Housing Office would manage the pilot program.

Some discussion followed.

Judi Barrett asked if the deed would restrict future developments on the site or if the homeowner could request that. Brian Sullivan said these are unique scenarios, and if the deed restriction is on the property, it would remain on the property. If additional units are created within the zoning, the restriction would apply to those units as well.

Judi Barrett asked if the Trust wants to keep it at one restriction per homeowner. Brian Sullivan said yes, since they are looking to support individual property owners rather than someone with multiple units.

Judi Barrett asked if the Trust would consider a different resale value that prevents the price from being dependent on interest rates. She mentioned that Truckee and California have programs that allow for a 3% increase. Brian Sullivan said his initial reaction is not to deviate from the EOHLC model at this time. The board agreed with Brian Sullivan.

Some discussion followed.

Kristie Ferrantella said the next steps would be for Judi Barrett to finalize the guidelines, and once ready, she will distribute them to the Trust members. Similar to the RFP process, there will be an application for homeowners going through the Finance Department. She asked the Trust if they would like this added to the August 20 meeting with the final guidelines.

Brian Sullivan said yes, if that is the fastest way to proceed.

Some discussion followed.

X. Other Business

• Next Meeting:

- August 20, 2024
- September 17, 2024

Penny Dey suggested changing the September 17 meeting because it is the same day as the Special Town Meeting. Kristie Ferrantella said she will check with Town Administration if there is a Zoom option available for September 10. The Board agreed to change the September 17 meeting to September 10.

XI. Board Comments

No Board comments.

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

• Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 8C Thirty Acres Lane, where an Open Meeting May have a Detrimental Effect on the Negotiating Position of the Affordable Housing Trust Members and the Chair so Declares.

AFTH Meeting on August 6, 2024, at 12:30pm

• **Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 21 Fairgrounds 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.**

• **Purpose 6: To Consider the Purchase, Exchange, Lease, or Value of Real Property Regarding 71 Surfside 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.**

Tom Dixon made a motion to adjourn open session to move to executive session, not to return to open session, for the purpose of considering the purchase, exchange, lease, or value of real property where an open meeting may have a detrimental effect on the negotiating position of the Affordable Housing Trust Members, and the Chair so declares. Penny Dey seconded this motion.

ROLL CALL of those participating:

1. Penny Dey – Aye
2. Tom Dixon – Aye
3. Meg Browers – Aye
4. Forest Bell – Aye
5. Abby De Molina – Aye
6. Brian Sullivan – Aye

XIII. Adjourn

This meeting was adjourned at 2:34 p.m.

AFFORDABLE HOMES ACT UPDATE

AFFORDABLE HOUSING ACT SIGNED INTO LAW

On August 6, 2024, Governor Healey signed the \$5.16 billion Affordable Homes Act into law, addressing housing challenges across Massachusetts. Notably, the bill introduces a Seasonal Communities Designation, acknowledging the unique housing issues faced by municipalities, like Nantucket, with substantial seasonal economies and vibrant vacation home markets.

The Affordable Homes Act includes several new policies

Legalizing accessory dwelling units (ADUs) by right.

Implementing eviction record sealing protections.

Establishing a foreclosure mediation pilot program.

Creating an Office of Fair Housing.

Streamlining the use of state-owned land for housing.

Creating a Seasonal Communities Designation.

Key benefits for Seasonal Communities

Establishing a year-round housing trust fund without the home rule process.

Acquiring year-round housing occupancy restrictions to support the development of a middle-income year-round housing market.

Acquiring and developing housing units specifically intended for public employees and artists.

Increasing the residential property tax exemption up to 50% for primary homes of year-round residents.

Adopting bylaws or ordinances enabling the construction of tiny houses and units on undersized lots, designated as year-round housing.

The bill did not include the Local Option Real Estate Transfer Fee, a critical funding source for Nantucket, which we will continue to strongly advocate for to ensure sustainable funding for affordable housing initiatives.

SPECIAL TOWN MEETING HOUSING ARTICLE

ARTICLE 9: Zoning Bylaw Amendment: Apartment Community

PLANNING BOARD: Moved to take NO ACTION

FINANCE COMMITTEE: Supports Planning Boards motion

Purpose: To allow the planning board the ability to issue a special permit for an apartment community for year-round housing in any zoning district except for Commercial Industrial District (CI) and Moorlands Management District (MMD). This is to incentivize the creation of year-round and relatively accessible housing opportunities with higher density and lower price points.

- Minimum lot size 10,000 sq ft
- 100% of the units have to be owner occupied. No leases less than 1 year.
- 25% restricted to 240 AMI or below
- Short term rentals prohibited.

YEAR-ROUND DEED RESTRICTION PILOT PROGRAM