

**Jan. 12, 2010**  
**AHC Meeting**

**Present:** Mike Colaneri, Glenn Hearn, Ernie Mendenhall, Jonathan Revere, Joanne Scott and Vickie Thurber

**Absent with Regrets:** Jim Powell

**Also Present:** Rhonda Conley, Caroline Locke Flanders, Philippe Jordi and David Vigneault

Glenn made a motion, seconded by Ernie, to accept the minutes of 11/24/09 as written.  
VOTE 5 YES 1 ABSTAIN

**New Member:** Mike introduced Jonathan Revere as the new At-Large member appointed by the selectmen.

**Announcements**

Mike reported that Catherine DeVito died and requested that the committee send a sympathy card to the family.

Rhonda stated to the committee that only \$27,355.92 remains in the Affordable Housing Trust Fund.

**Old Business**

**Cote (51 Rustling Oaks):** Mike stated that the \$40,000.00 for helping in purchasing the property at 51 Rustling Oaks by Island Housing Trust (IHT) had been removed from the Trust Fund. He also said that hopefully the transactions should be completed by Jan. 15, 2010.

**Bailey Park Rd. Project:** Mike does not have an update on town counsel's review of the RFP and attachments as of yet. Town counsel hopes to have the review ready for the AHC's next meeting.

Glenn stated that the Board of Health has not received the water testing of wells yet. There was a very short discussion of the home designs for the project.

**250 State Rd (Eliakims Way):** David Vigneault presented handouts pertaining to the 250 State Rd. IHT Project. David asked that Rhonda post the notice of the Homebuyers Training Meeting which is Jan. 26, 2010 from 5:30 to 8 P.M. in the Howes House. Vigneault stated that there is a large range of possible applicants, close to 200. Vigneault does not believe it is necessary for AHC to be present at the Homebuyers Training Meeting but that everyone is welcome to attend. The meeting is to explain to applicants the ground lease, legalities, lending process and how the lottery works. Homebuyers Training is required to apply for affordable housing offered by IHT. The application deadline for 250 State Rd. is Feb.12, 2010 Vigneault said and he would

like to hold the lottery on Mar. 31, 2010 if possible. Vigneault would like the AHC's input on where and time. Everyone agreed that at a scheduled Selectmen's Meeting would be the best, possibly at the end of their regular meeting. David and Rhonda will check with Jen Rand (Town Executive Secretary) and get her input as well. Mike asked the committee members to familiarize themselves with the lottery process so they may answer questions.

Glenn asked about the number of homes with West Tisbury Residence preference. Philippe Jordi stated there are 6 with one of those being the Habitat for Humanity house.

Jordi stated that the project is on schedule and budget. It is about 75% complete. Though funds are approximately \$91,000.00 short the Island Affordable Housing Fund is working on raising these funds.

Jordi explained also that IHT requires a Lender Document which lenders must complete which gives information on the lending institute. After review of this and the applicant's loan application IHT has to approve of the loan.

**Planning Board and IHT Ground Lease:** Jordi brought AHC up to date on the Planning Board meeting held Jan. 11<sup>th</sup>. He explained that the IHT Ground Lease includes provisions that the resale restrictions be lifted upon a foreclosure. This is required by Fannie Mae and the banks' underwriting standards. This has always been in the IHT Ground Lease. When this was brought to the Planning Board's attention the question was asked how this would affect Community Preservation funds used for this affordable housing project. The IHT has rights of mortgage laws built into the lease giving them rights to rectify the loan or purchase the property before, during and after foreclosure. Jordi, typically dealing with 40B regulatory agreements, neglected to mention this foreclosure clause when receiving the building permit.

Therefore Jordi presented an amendment to the Special Permit which will be an Exhibit to the ground lease. The Exhibit would provide for certain rights and protections to the town's investment and also conditions of preference. This restriction would provide any funds beyond what the bank is owed up to \$95, 00.00 would be paid first to the town. That will protect the town's investment of CPC funds. Town Counsel is presently reviewing this exhibit and the public hearing has been continued to Mon. Feb. 8, 2010 at 5:30P.M. in the Howes House.

Jordi stated that if the ground lease and amendment are not approved it could have a big impact on the homebuyer. In that, if the homebuyer can not put down at least 10% they could be hit with mortgage insurance up to \$2400.00 a year.

There was further discussion of the ground lease. Jonathan wanted to know about the inheritance of an IHT property. Jordi explained that the ground lease remains on the property but does allow heirs who do not income qualify to inherit the properties but they must meet all the other restrictions such as living in the home, selling at the affordable housing price set.

**Meeting Time:** Vickie asked if the meetings could be changed to 7P.M. The committee agreed to try this time.

## **New Business**

**Annual Report:** Rhonda presented a draft of the annual report and asked the committee for suggestions. The majority of the committee believes there should be some mention of Catherine DeVito. It was requested that Rhonda check the numbers and also mention the subsidized housing. The committee will review at next meeting.

**Accessory Apartments:** Rhonda brought to everyone's attention that 2 accessory apartments are being considered by the Zoning Board of Appeals (ZBA). Ernie said he is aware of these and will keep up on the permitting process. Ernie also stated that of the other accessory apartments within West Tisbury there are still 2 not complying with the rules.

**Warrant Article:** Mike stated there had been a question about the Bailey Park development and whether the lots were set aside for affordable housing. After reading the warrant it appears to be in order for affordable housing development.

**Procurement Laws:** Jonathan stated that the procurement laws say that only the selectmen can accrue and dispose of real estate. Property can be owned by the town but cannot be used for any other purpose until the selectmen declare the land surplus. He urged the committee to look into this saying there is a process that must be followed according to the procurement laws. Mike believes that this is something the procurement officer should know and handle. Jonathan also stated that the chief procurement officer can designate for any particular board or committee of the town an assistant procurement officer just for that board's activities. This way all things would not need to go to the chief procurement officer and the committee can be doing their own. A short discussion of this followed with varying opinions as to whether having an assistant procurement officer is a good idea.

**Home Repair-Maintenance Grant Program:** There was a short discussion of the merits of the program. Ernie stated there were some kinks with the building codes.

Adjourned at 8:40P.M

**The next meeting will be Jan. 26, 2010 at 7:00P.M. in town hall 2<sup>nd</sup> floor.  
Tentative Trust Fund Meeting Feb. 3 at 4:30 P.M in Town Hall 2nd floor.**

Respectfully submitted by Rhonda Conley