



OAK BLUFFS PLANNING BOARD

Meeting Minutes

FEBRUARY 28, 2019

5:00 p.m. at Oak Bluffs Fire Station, 6 Firehouse Lane, Upstairs Meeting Room

Members in Attendance: Ewell Hopkins, Mark Crossland, JoJo Lambert, Erik Albert (*via phone*)

Attendees: Philippe Jordi, Faren Worthington, Philip Cordella, Peter Bradford

Chairperson Hopkins opened the meeting at 5:03 p.m.

MVC Affordable Housing Policy review and vote

Chairperson Hopkins shared his thoughts about affordable housing mitigation and the Commission's proposed changes to their policy. He said he believes it should be a cost of doing business, not tied to any particular thing. He also thought that it should be paid to the housing trust of each island town. The current policy also states that those organizations that are non-profit would be exempt from the mitigation fee and he said he thought that was a bad idea. If you can afford to build, you should build responsibly. He said he would like their policy to also empower towns to enforce the affordable housing policy.

He said he wants to send a formal response from the Planning Board to the Commission.

Member Albert asked if we should go through the selectmen as well. Ewell said that the Chair of the Board of Selectmen did not want to write a formal joint letter.

Peter Bradford said that it's important that the units built be calculable and thinks it's lacking right now from the current and proposed policy.

Philippe Jordi said what concerns him is ongoing monitoring and enforcement. It's important that if a developer says they will do something they need to follow through. While the Towns can file a lien, DCRHA is designated as the steward.

Phil Cordella asked if there is currently a fee for subdivisions and if it was adequate. Ewell said that in Edgartown the policy was based on assessed value vs. purchase price for example.

Pocket Neighborhoods

Members of Island Housing Trust, Philippe Jordi and Faren Worthington, were present to discuss pocket neighborhoods. They were in front of Planning Board to gather their input. They looked at the Draft Master Plan and the Housing Production Plan which identifies some action steps in terms of zoning bylaws -- specifically in area of converting existing buildings. Philippe shared background on their organization and said that they are looking to see how they can do things more cost-effectively in both time and money.

The four-year goal of IHT is to create 100 new units by the end of 2020. As of now, they have finished 11 units and have 52 more that are in the pipeline. Over the last 14 years, however, they have finished around

60 homes including a couple of Habitat homes and about 24 rentals. They are working on a new model with the hospital and have purchased the Hanover House, a 16-bedroom inn in Vineyard Haven. They are going to do a master lease to them because they want to start serving their year-round workforce.

He said that Oak Bluffs goal of converting existing buildings and converting them is exactly what they are doing in Tisbury. In addition to Hanover House, they are converting a family house and guest house into four townhomes that they will sell. They lease the land and property would have a leasehold mortgage.

Philippe said that there is nothing in the pipeline for Oak Bluffs. He showed drawings of Scotts Grove -- pocket neighborhoods that have universal access in wooded areas -- as another example of what they are doing.

Discussion followed about the multifamily bylaw amendment that passed in Tisbury. One of the fundamental things Tisbury did was shift the decision making from the ZBA to the Planning Board. The multi-family bylaw allows for greater density, especially under circumstances where you have a minimum proportion of affordable up to 140% income restricted. The Planning Board has discretion to waive frontage, lot and parking requirements. This has been very successful in Tisbury.

Member Lambert asked how the neighbors felt about the project. Faren Worthington said they took a very thoughtful approach and reached out individually to each neighbor and to the extent they could, they modified their designs if issues were raised.

Chairperson Hopkins asked him to elaborate. Philippe said that they need to be able to work with the seller in a way that doesn't create enormous risk for them. If they are looking at a 40B it could be a half - year process with the need to put money down to tie it up and then expend time and effort into the design and it may or may not come out.

With local permitting, however, people feel there is more discretion -- it's a local body, not something you have to do if you don't have 10%. He said they prefer a "friendly 40B" where they can come up with a path between Planning Board and Board of Selectmen who need to sponsor the application and then ultimately to the ZBA.

Chairperson Hopkins asked for clarification on what he meant by "sponsoring the application". Philippe said it's called a Local Initiative Program, or a "LIP". It goes to Dept. of Housing and Community Development and this LIP is the way you approach the state in order to get approval to just go before the ZBA, but it's cumbersome and time consuming. There are costs associated with it and lots of machinations of legalese. Ultimately, IHT would like to see the Planning Board sponsor amendments to zoning bylaws to encourage things the Town does want to see.

He offered to take Planning Board members around to various projects and sites they've completed around the island to ask if these are things you'd like to see in OB.

Member Lambert said yes -- she would like to do that.

She asked again how it was done in Tisbury and elsewhere. He said they've done it in a couple of different ways: they've gone before ZBA with 40Bs. Now for smaller projects = as many as 3 or 4 buildings you can utilize this provision. They also went to the Planning Board to do three multi-family buildings.

Chairperson Hopkins said he wanted to hear more about how the LIP program works and how they could work collaboratively with developers such as IHT to make that happen. Philippe said it could be on a case-by-case basis where they have an opportunity -- like they did with Meshacket. The process would entail speaking with a seller and hope seller is patient and IHT would tie up some of their money and based on conversations they get a feel if it will work and the town wants to do this type of thing and can help facilitate that.

Right now they are trying to get a sense of this by talking to Planning Boards and looking at planning documents to see if this is something they can explore with Oak Bluffs. He said at the same time, Faren is doing her work on more speculative projects while they have been reacting to things that are currently on the market. For example, they could approach speculative projects by approaching owners and say to them "Have you ever thought about selling your home?"

Ways to accomplish this:

- You could modify zoning bylaws, go to Town Meeting and get approval from the voters
- Be a cooperative partner and go to the state -- 40B is "spot zoning" and supersedes local zoning in 40A.

Chairperson Hopkins said it was the Planning Board's full intent to have the Master Plan, once ratified, inform the process of comprehensive zoning reform -- not just in particular areas but through the entire Zoning Bylaws. He said further, he would like to bring that to Town Meeting in 2020.

Chairperson Hopkins said he had had discussions with two Select people about cluster and pocket neighborhoods and it is an idea they like. He encouraged IHT to attend the March 6 Public Forum to help inform the Master Plan. He pointed out on a map Town properties highlighted in yellow and said IHT should work with Member Mark Crossland who is the Planning Board's point person on the Affordable Housing committee. The Town has 43 acres off of Edgartown Vineyard Haven Road and right now is spending \$100,000 on a feasibility study. He said that IHT should be part of that discussion.

A question was asked if whether Jessica Lane was considered but Chairperson Hopkins said no specific area had been discussed yet because will trigger NIMBY.

Philippe asked if the Planning Board recommended they do anything else.

Chairperson Hopkins said that showing they are looking at the bigger picture and that they want to be a part of the larger conversation instead of simply a housing advocate would go a long way. He said in their presentation they had hit all the "hot buttons" and communicating this vision is important [in moving forward].

Member Albert left the meeting at 6:00 p.m.

Faren said that looking at the zoning bylaws is part of her analyses. Right now she is combing the Edgartown bylaws and trying to narrow down. She would like to do the same in Oak Bluffs.

Chairperson Hopkins asked Planning Board members if they should vote to give some of their budget to Town Counsel in order to work with IHT -- this might be one of the ways to be most efficient. Faren said they can do that with hypotheticals vs. specific properties and asked what kind of analysis had been done already on the yellow areas on the map. Chairperson Hopkins said that they should work closely with Member Crossland on these questions.

Philippe said that this feedback was helpful and that they would not make any offers quite yet. Chairperson Hopkins agreed but also said they shouldn't delay because there are always applications coming forward. He mentioned a recent applicant here who had bought 8 acres and was interested in building affordable housing among other projects.

Philippe said that the Chilmark Planning Board had recently gone with IHT to see the homes they built in Aquinnah as well as taken a visit to Scotts Grove to see their latest affordable rentals and said they would like to do the same with the Oak Bluffs Planning Board.

Master Plan

Chairperson Hopkins spoke about the upcoming March 6 Public Forum and said that the goal is to get as much public input as possible before it is sent to the Planning Board. He said board members should plan to attend and be prepared to listen and answer any questions that came their way. He described the format of the meeting and said there will be a PowerPoint presentation that he had worked on with Glenn Chalder (Master Plan consultant). MVTV will be covering it as well.

RKG Consulting Project Update

Member Crossland gave a brief update on the feasibility study. Member Lambert said she'd like to sit in on some of these meetings to get more knowledge.

Bylaw Exemption Language Amendment

Chairperson Hopkins had been working with Michael Goldsmith on the language of the bylaw exemption amendment and had presented it to the Board of Selectmen the previous week. They approved it. He said he was working to get it posted the following day because they must have a public hearing before Town Meeting.

Language of amendment:

*To see if the Town will vote to amend Section 10.4.2 of the Oak Bluffs Zoning By-law governing Site Plan Review Exemptions by deleting in its entirety Section 10.4.2(1), which states that any project governed by Section 9.0 (regulations governing Districts of Critical Planning Concern) are exempt from site plan review and, further, to change the numbering of Section 10.4.2(2) to Section 10.4.2(1) to account for the deletion of subsection 1. **This amendment clarifies that all projects, even if governed by DCPC regulations, are subject to site plan review before the Planning Board.***

Board Updates

Ewell Hopkins -- The Martha's Vineyard Commission is trying to change the affordable housing policy in plain sight. He said that it was important that the Planning Board give input so that there is some "more teeth" in the policy.

Adjourn

Member Lambert made a motion to adjourn, Member Crossland seconded. Meeting was adjourned at 6:42 p.m.

Minutes approved March 28, 2019

Documents on File: Agenda, board packet, sign-in sheet