

From: David Vigneault

Sent: Thursday, April 04, 2019 4:33 PM

To: Joan Malkin <joanmalkin@gmail.com>

Cc: Fred J. Hancock <fredupfront@comcast.net>; Christine Flynn <flynn@mvcommission.org>; Lucy Morrison <morrison@mvcommission.org>; 'Ann Wallace' <awallace02535@gmail.com>

Subject: RE: comments on affordable housing policy

Hi Joan,

Apologies for any confusion and thanks for the opportunity to refine. Below are further language suggestions and clarifications.

1. *Your suggested revisions to section 5.4 aren't clear to me...*

5.4 a. "...implement a plan to market all housing units to potential buyers and/or renters in conformance with all applicable provisions of Fair Housing Law."

5.4 b. "...to ensure that the Affordable Housing units qualify for the SHI." Pt. Upper case AH would reference rent/ownership up to 80% which are only units countable for the SHI.

5.4 c. "...DCRHA or other entity similarly qualified by DHCD to render housing related services on an ongoing basis:

2. I'm not sure that your proposed change to section 5.6 isn't already taken care. In the case of a demolition, it seems that there won't be any costs to defray. As for moving a house, the provision already says the Commission can require the DRI applicant to defray those costs. So, what more are you suggesting? A question for you (and the MVC AH team) is whether defraying costs should only apply to a NFP who accepts the house - or to anyone who takes it provided it is used for Affordable Housing... Any views?

Yes. The DCRHA has handled demo referrals for Edgartown for over fifteen years. There are many reasons why only two of the over two hundred referrals in that period have resulted in actual moves including absence of land, increased building and energy code requirements, costs of rebuild and cost of moves. The language I proposed utilized Nantucket demo ordinance provisions which take into account costs of demo, i.e., time and equipment to destroy and transport materials from site and costs of removal from island. A project-by-project appraisal of those costs forms the basis of a cash "donation" to accompany the "donation" of the home (against any owner tax liability) and to be used towards any move.

3. Re your comment relative to Appendix 1a (p12) you suggest adding the words "and/or preservation of existing, at-risk Affordable Housing". First, do you have the right reference? I don't see where your comment might go. But, further, what do you mean by "at-risk"?

Appendix B 1a begins, " Capital expenses..". Our intention here is an additional allowable use of funds towards significant and unfunded capital costs (substandard roofing, sidewall, windows, etc.) that threaten the continued viability of existing, deed restricted Affordable or Community Housing units, i.e., additional language such as, "...and/or preservation of existing, deed restricted Affordable or Community Housing at risk through significant, unfunded, and necessary capital repair or replacement".

4. I think we need to mention 'Elder Housing' (as a subset of Affordable and Community Housing) in the policy but I do not know specifically how to define it. Any ideas? For instance, do all residents have to be over 65 or just one member of a household? What other elements of a definition should I consider?

A very good point that addresses an inadvertent omission (I include myself ;-)) in an otherwise comprehensive and inclusive attempt at MVC Housing Police revision.

1st Possible Addition: Section 1.1 is very good but, upon re-read, is mostly focused on the economic aspect of Vineyard life: e.g., “services provided by a whole range of people; qualified employees; Island’s workforce”. Perhaps 1.1 would be a good place to add a reference to our aging population while also including the housing needs of individuals with disabilities. How about in the first paragraph, following “...some are seasonal-only residents.” with, “Some are part of our growing population of seniors. Some are individuals with mobility impairments or other disabilities.”.

2nd Possible Addition: Modify Section 6 Definitions by adding Senior Housing to the Affordable Housing definition (i.e., “Low Income Housing, Moderate Income Housing, Senior Housing, and Workforce Housing.”). You could consider including it in the Community Housing definition (i.e., “...income eligibility above 81% and up to 150% and including seniors.” but that might be awkward or otherwise assumable. What’s your thought?

3rd Possible Addition: As you suggested, not only add to AH and CH definitions, but add Elder Housing to Definitions: i.e., “Elder Housing means units for individuals or household members aged 62 years or older at incomes levels in accordance with particular program definitions.”. Faced with a wide range of definitions of “senior” I’ve defaulted to the HUD definition of 62 which also lines up with IEH’s extant programming definition (165 existing island units and 5 more on the way). I reviewed some federal study literature on the subject and find 55-plus housing viewed as more of a “active lifestyle choice” so...to hell with that ;-)

4th Possible Addition: 5.5 Accessibility and Vistability could start with statement of objective, i.e., “In accommodation of the needs of aging islanders and/or islander’s with disabilities, at least 10% of the AH units...”.

Your questions and comments have given me an opportunity to step back and view the whole of your extensive effort again. A last consideration (with two parts) that comes to mind – and one of the first we discussed during the listening session: The use of the term Affordable Housing beginning with 1.1 The Need for Affordable Housing and running throughout (e.g., 1.2; 2; 2A.4; 2B.4; 3.1; etc.) obscures the clarifications of definition and choice you’ve worked hard to make and offer throughout the revised policy. In some cases such as 2A.4, Housing Policy mitigation may be suitable while in other clauses such as the 1.1 title, the best alternative might be The Need for Affordable and Community Housing Options. Other times a simple slash – Affordable/Community – might have to suffice.

Second part of my question: does the MVC wish to state a relationship of priority between Affordable and Community Housing options considered by the applicants, staff, and Commissioners? A one-from-column-A v. three-from-Column-B approach. Perhaps a general notation in 1.2 Applicability or 1.3 Strategies might answer.

Again, thanks for the opportunity to add to your efforts. I look forward to the next installment as you near your important goal.

David

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From: Joan Malkin <joanmalkin@gmail.com>
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Subject: comments on affordable housing policy

David, thanks for taking the time to so thoughtfully and thoroughly review the MVC's draft affordable housing policy. We have taken most (maybe all??) of your comments on board and are now in the process of making the necessary drafting changes. I have a few questions, though, and your answers will help me make further changes.

1. Your suggested revisions to section 5.4 aren't clear to me. I think we are in agreement with what appears to be the gist of your comments, but I am not clear how to draft to accommodate your issues. Could you either be a bit more fulsome in your explanation or (preferably?) provide some rough draft language which we can consider.
2. I'm not sure that your proposed change to section 5.6 isn't already taken care. In the case of a demolition, it seems that there won't be any costs to defray. As for moving a house, the provision already says the Commission can require the DRI applicant to defray those costs. So, what more are you suggesting? A question for you (and the MVC AH team) is whether defraying costs should only apply to a NFP who accepts the house - or to anyone who takes it provided it is used for Affordable Housing... Any views?
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Again, MANY thanks. It would be helpful, I think, if you were to give the next draft a once-over to make sure we have captured your intent (and to make sure that it matches ours!). I will make sure that happens.

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