

Oak Bluffs CPC Meeting
06/05/07
Oak Bluffs Library 2nd floor conference room

Members Present: Stephen Durkee, Chairman. James Westervelt, Cheryll Sashin, Charles Rock (via cell phone from New York), Peter Martell, Harvey Beth, Alison Shaw.

Also present: Selectmen Ron DiOrio, FinCom Member Peter Palches and Administrative Assistant to the CPC, Adam Wilson.

The meeting began at 10:02 am

Minutes from the April 17th meeting were approved. 5 -0 - 2.

1st item on the agenda was a report from Ron who was speaking to Commission Members as Chairman of the Town's Affordable Housing Committee (AHC). He talked about plans being presented at the June 12th Selectmen's meeting for converting the old town library into 4 affordable housing units for qualified renters (80% of Dukes County's median income) and a commercial rental unit (1,200 sq. feet) for hopefully a pharmacy. The AHC has had an engineered study done on the existing structure and plans to hire a grant writer to seek state and federal dollars. Ron stated that 700K was hoped to be raised in matching grants to convert the library into affordable housing use. Then he said, "You're contribution of 226 thousand is very important to us, especially since there are costs initially – small costs – that are not covered by the grant."

-Ron talked about working with the Dukes County Regional Housing Authority (DCRHA) to manage the property once criteria had been set as to who would qualify for the units; both the residential apartments and commercial space.

-Peter asked the cost of the project. Ron said it is hoped to be between 700K to under a million. Peter made the point that he thought it could be replaced for 400K. Ron said replacing the building would lose the grant money and that more dollars are available if it is renovated instead.

-Commission members discussed the rental setup and who would control the property and how much the town could reap in rental revenue. Ron said rental income will vary based on how much one can pay based on their median income. He estimated the commercial unit could bring in 25K in rent. He stated that the income from rent would come to the town minus the DCRHA's administrative fee of 10%.

-Peter asked what if the grant falls through. Ron said it would then be back to the drawing board. However Ron expressed confidence that a grant writer, Alice Boyd will succeed in getting the money. Ron said that Ms. Boyd has a signed contract paying her six thousand dollars to grant write for the library renovation.

-Ron asked that the Community Preservation Commission "redirect" the appropriation of 226K originally recommended for the AHC's trust; go directly to the Town's Affordable Housing Committee. He said that the trust needed more time and process before being voted on by town voters and that it wouldn't be ready by either the fall or the special town meeting scheduled at the end of June.

-Ron then went on to another project the AHC was looking at. He said several groups were looking at acquiring for restoration and renovation the Denniston property at Dukes County and Masonic Avenues. A coalition of neighbors, including the NAACP, the Island Affordable Housing Fund and the town is working towards its acquisition. The proposal is to create a cultural center, affordable housing units and artist commercial space for the current structure.

-Ron said the AHC will be looking to spend the dollars already recommended for affordable housing on the library and possibly the Denniston project as well. Ron expressed his enthusiasm for the two projects because they involved developing housing options for residents with lower income levels.

-Commission Members discussed the criteria the town would set with the DCRHA in allocating space in all affordable housing projects. The discussion centered on rules and how people act while trying to live on the Vineyard and at the same time qualify for housing.

-Cheryll asked Ron the difference between a trust having the money vs. the AHC. Ron said the accountability would be the same but that the trust could act a little more independently and enter into agreements without having to go to town meeting for approval. There was a discussion about the different properties the town owns.

-Cheryll asked about the transfer of funds to the AHC and what will happen when the trust is finally created. Ron said the Committee is seeking all the available funds now and when the trust is established, whatever funds are left will be transferred unto it. In the meantime, the money in reserve for community housing needs to be spent immediately so that the grant's deadline for more funds can be achieved in October.

-Harvey opined that while the trust was designed to have flexibility in it's spending without voter approval, if the AHC was looking for funds from the CPC, it had to be project specific and for an exact amount. He thought that if the AHC wanted the 226K to be approved at town meeting, then they should say it's for the purpose of renovating the old library or the art district Denniston project.

Commission members discussed if there was more money available than the 226 currently being held for affordable housing.

-Ron asked if everyone at today's meeting was 'conceptually' on board with what the AHC was doing with the two projects.

-Peter said the bills still needed to come back to the commission for approval and sign off.

-Stephen thinks the Commissioners have a right to know that CPC money is spent the way they are told it was to be spent. Any leftover money comes back to the CPC fund.

-Charles complimented Ron on looking for housing projects. He asked where the appropriation for the grant writer came from. Ron said the Planning Board paid the bill.

-Charles stated to Commission Members that Ron's request is comparable to the OB Boardwalk to Beach Task Force's application they received last fall. (*Rejuvenation of Pay Beach area with yet to be determined total project costs other than preliminary start-up expenditures.*) He has concerns about the information needed in the CPC's application process that seems to be circumvented by going to the special town meeting so soon. He has a concern about overall accountability. Ron said there will be a public process but the dollars are still in question because the AHC has yet to hire an architect to do the design work. Ron said preliminary counseling has been done working with the Building Department and an engineer's survey is already in hand to determine if the library is structurally sound. Charles asked if other funds are granted, the documents are going to be needed similar to what the CPC will be looking for.

-Harvey spoke up saying the grant the AHC is looking for in October has to know are funds in place in order to match them. Charles said the funds should be strictly for housing and not the commercial end of the proposed renovations. Peter said if the warrant article is structured for only the two proposed projects, other spending won't occur.

-Ron told the Commissioners that the AHC needs money now to hire the architect to do the preliminary design for the grant. He estimated that cost as being 10K and that all architectural services will not be covered by the grant.

Ron thanked the Commission for its time and left the meeting.

-Peter made a motion that 226K be allocated for the planning and construction of affordable housing at the old library and the Denniston. No one seconded.

-Alison brought the Commission up to speed on what was happening with the Denniston project. She said the IAHF is signing papers for the Denniston property on June 10th. \$220K is needed as a down payment. Peter and Alison discussed how much would be mortgaged for the property.

-Alison expressed her concerns about how the money would be split between the two projects. Her impression was that Ron's request for the money going to the AHC was for the library and she thinks the Denniston property is equally as important for community housing as the units proposed on Pennacook and Circuit Avenue.

-Harvey said the money could be split but because of the timing the library needs the money more. Commission Members discussed windows of opportunity for both projects.

-Cheryll stated she was uncomfortable allocating any money to a project utilizing CPC funds without a written proposal in front of the Commission to review.

-Stephen thought that the Commission had to have something legally, in writing, which can be reviewed and voted on for approval.

-Harvey said it would have been nice to have had a written proposal to look at but if a grant from the state is obtainable, some commitment of money has to be in place now in order to qualify. Stephen restated his concern that the Commission's process for acquiring CPA money was being circumvented, albeit with only the best of intentions. He said he was uncomfortable with being asked for a rush decision with so much money involved.

-Harvey told Commission Members the deadline for submission of the warrant was today.

-Adam brought the Commission up to speed on how the town accountant has set up spending line items within the CPA fund for specific expenditures on approved projects.

-Charles suggested that an amount be appropriated for up front for expenses the AHC needs.

-James said that what Charles is proposing makes good sense and told the Commission that the AHC had a meeting with Pat Manning of the IAHF concerning his request for 20K to go towards the Denniston down payment.

Commission Members asked James and Harvey how much they thought the AHC needs in start up money.

-Harvey said the AHC needs 10K for the architects rendering of the proposed renovations to the library. Commission members talked about the legal and/or procedural allocation of money. Peter pointed out that there is 226 thousand for affordable housing that's been recommended but not installed. Harvey said that if it's for community housing and needs to be fast tracked so that it can be used, so be it. Stephen emphasized to those present that he is not against the proposals, but when the Commission's protocol is compromised, it can put the CPC at risk.

-Stephen took a straw vote to see if Commission Members would approve the transfer of an undetermined amount to the AHC without having an application to review first. The verbal response from many on the CPC was yes.

-Charles said an allocation of 50K with a provision that a follow up application would be submitted to the Commission seems to resolve the deadlock.

-Peter made a motion to allocate 50K for planning expenses to the Town's Affordable Housing Committee with the condition that the AHC submit amended application(s) requesting the funds prior to Town Meeting. Harvey seconded. He then asked if the motion could be amended so that 25K would be allotted for each project. There was no second to Harvey's proposed amendment.

In the discussion Charles said the allocation of funds for different projects could get the Commission into micromanaging how the funds are to be spent. Harvey said town voters will specifically direct funds to the proposed projects and not to cover administrative expenses.

The discussion among members went back and forth on how a group could have two or more projects going at the same time. A consensus was reached that 50K was reasonable for planning, architecture, and engineering design only for the affordable housing projects.

The Commission voted 6 – 1 to recommend fifty thousand to the Town's Affordable Housing Committee with the condition that the Committee submit applications formally requesting the funds prior to town meeting.

- Peter asked Adam to follow up with the Selectmen on how the CPC voted for the warrant article.
- Adam presented the DCRHA's invoice for the Rental Conversion Program. Commission members signed off on the project.
- There was a brief discussion on the procedural handling of the Hartford Park restoration. Adam had a concern that landscaping for the Town of Oak Bluffs seems to fall to only one specific contractor. Peter said that sometimes it works better to work with one person who gives a good price and will get the work done on time.
- There was a consensus agreement that future bills should be approved prior to the work being done.
- Stephen reminded Charles of his term expiring and to write letters to the selectmen if they wished to seek reappointment.
- Adam pointed out that Stephen's term as "Acting Chairman" had been a year. Peter made a motion to elect Stephen as "Chairman" of the CPC. Charles seconded.

The Commission voted 6 – 0 – 1 to elect Steve as Chairman for another year.

- Harvey brought up the subject that he had been told that the article for funding the ball field may not have been legal under the terms of the CPA act. He said the CPA speaks very clearly about funds for rehabilitating existing fields only if they were originally constructed with CPA funds. He said that in 2002 the legislation was changed so that rule didn't apply to housing but it remained so for recreational fields. He told Commission Members that they may have acted inappropriately in recommending the funding to town voters for the ball fields.
- Cheryll said the bulk of the proposed spending was for the new field anyway. Stephen said the CPA language is very broad and meant to be so communities can best apply it towards their needs.

-A motion was made and seconded to adjourn

The meeting ended at 12:00pm.