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Martha's Vineyard Commission

DRI # 625 Chasin Division

MVC Staff Report – 2010-07-09

1. DESCRIPTION

- 1.1 Applicant:** Richard and Laura Chasin; Glenn Provost (Surveyor/Agent)
- 1.2 Project Location:** Quamox and Jeremiah Roads, Chappaquiddick, Edgartown Map 34 Lot 39; Map 34 Lot 38; Map 47 Lots 81; 99; 101; and Lot 102 (69.3 acres total).
- 1.3 Proposal:** To create a Form A plan which re-divides six parcels with 69.3 acres into 10 lots plus one lot for affordable housing for estate planning purposes on Chappaquiddick.
- 1.4 Zoning:** R-120 Residential. Minimum lot size is 3 acres. Guest houses cannot be larger than 900 sf. Maximum heights for structures is 26 feet for a pitched roof and 18 feet for a flat roof with 4 in 12 slope or less. A Special Permit can be applied for a maximum height of 32 feet.
- 1.5 Local Permits:** The Planning Board needs to determine if the access is adequate for the potentially increased traffic and if the access from the lot onto the road/way is adequate.
- 1.6 Surrounding Land Uses:** Rural Residential and conservation lands.
- 1.7 Project History:**
- 1.8 Project Summary:**
- The proposal is a Form A plan which re-divides six parcels with 69.3 acres into 10 lots that meet zoning plus one lot for affordable housing.
 - The applicant has agreed to prohibit further division of the lots.
 - The proposal would allow one house and one guest house for each lot. However, main houses are limited to a maximum of 6 bedrooms each and guest houses can have up to 2 bedrooms.
 - The proposed new lots have defined building envelopes.
 - There are four existing buildings on the 69 acres. Two will have their own lots drawn around them (Lots 4 and 5). The main house and guest house will be on the same lot (7).
 - The applicant could have created up to 23 parcels by right.
 - The lots all front a public or private way (not all adequate in the opinion of the Planning Board).
 - The agent had the Land Court “de-register” some of the lots. There have been a number of other plans proposed in the past for these lands.
 - The proposed lots are described as follows:
 - Lot 1 is a new 7.58-acre lot bounded by Jeremiah, Litchfield, and Quammox roads
 - Lot 2 is a new 9.29-acre lot between Jeremiah and Quammox roads.
 - Lot 3 is a new 3.10-acre youth lot on Jeremiah Road.
 - Lot 4 is a 5.93-acre lot drawn around an existing dwelling on Quammox Road.
 - Lot 5 is a 3.21-acre lot drawn around an existing dwelling on Quammox Road.
 - Lot 6 is a new 3.59 acre lot created between existing dwellings on Quammox.
 - Lot 7 is a 10.53-acre lot drawn around the existing main house and guest house at the end of Quammox Road on the water (Katama Bay).
 - Lot 8 is a new 10.42-acre lot between Jeremiah Road and Katama Bay.
 - Lot 9 is a new 9.02-acre lot between Jeremiah Road and Katama Bay.
 - Lot 10 is a new 6.46-acre lot between Jeremiah Road and Katama Bay.

2. ADMINISTRATIVE SUMMARY

- 2.1 DRI Referral:** Edgartown Planning Board. In their referral the Planning Board adds that they enthusiastically support this project because “by right” the division of this land could be 23 parcels (instead of the 10 proposed) and the applicant is offering a youth lot.
- 2.2 DRI Trigger:** *2.2 Division of Ten or More Lots: Any development which proposes to divide a contiguous or related ownership of land into ten (10) or more lots or parcels, and 2.5 Division of Thirty or More Acres: Any development which proposes to divide a contiguous or related ownership of land of thirty (30) acres or more, except when divided into less than six (6) parcels that are irrevocably prohibited from further division.”*
- 2.3 Pre-Application meeting with staff:** June 1, 2010
- 2.4 LUPC:** July 12, 2010
- 2.5 Site visits:**
- 2.6 Public Hearing:**

3. PLANNING CONCERNS

3.1 Some Key Issues

- **Views:** The scenic impact of development from Katama Bay.
- **Habitat:** The area is largely within NHESP Priority and Estimated Habitat.
- **Energy and Land Use:** The creation of more large houses for seasonal use on an isolated island creates demand for energy and increases traffic on the Chappy Ferry.

3.2 Environment

- **Vegetation:** Largely wooded with some meadows.
- **Habitat:** Most of the property falls within NHESP Priority and Estimated Habitat.
 - The agent contacted NHESP and then hired Mark Mello of the Lloyd Center in Dartmouth to review the property and list of species they received from NHESP.
 - Mr. Mello marked the likely habitats which Glenn sent to NHESP.
 - NHESP is looking for details of activity within the proposed building envelopes.
- **Archeological:**
 - The Public Archeology Lab (PAL) has done an extensive study.
 - VLS staked out the building envelopes and PAL dug test pits in those areas.
- **Landscaping:**
 - Agent has said they will restrict managed lawn to within the building envelopes.
 - There will be no additional tennis courts.
 - Swimming pools would be limited to a maximum of 800 sf.
- **Open Space:** The Chasin’s recently sold an abutting piece of property to the Land Bank.
- **Lighting:**
- **Water:**
- **Wastewater / Stormwater:**
 - The land area involved ranges from near 50 feet elevation to the shore of Katama Bay.
 - The soil types in the area are predominantly Carver loamy coarse sand and East Chop loamy sand. These soil types are well drained and offer no limitations to wastewater disposal.
- **Water Resources:**

- The project is located in the Katama Bay watershed. The Bay is a nitrogen sensitive water body but, as we understand it now, it is well below its nitrogen loading limit. Despite that eelgrass is not found in the system.
- In the MVC Water Quality Policy, Katama Bay is rated as a Compromised water body because of the lack of eelgrass and the estimated tidal exchange rate. Also, at the time the Policy was written, we had no data on the nitrogen concentration in the water column.
- Despite the Policy classification, the estimated nitrogen load limitation is 16.5 kilograms per acre per year. On the 71 acres associated with the project, the total load allowance is 1,168 kilograms of nitrogen.
- Despite the substantial nitrogen allocation available to the property staff recommends some steps to minimize water resource impacts:
 - Use of effluent drip disposal systems on all new wastewater disposal systems and upgrades to existing systems (or use of similar new technology available at the time and acceptable to the Board of Health for nitrogen reduction). These systems offer passive nitrogen removal by the groundcover under which they are placed.
 - Minimize the area of managed, fertilized turf to lower the application of nitrogen fertilizer. No limit is suggested for native meadow or sandplain grassland maintained by appropriate methods. On managed turf, use fertilizers with insoluble nitrogen sources.
 - Limiting the area of maintained turf will lower the nitrogen loading from each parcel as well as reduce the irrigation water requirement at a time when the aquifer is not recharging.

3.3 Transportation: MVC Staff is preparing a traffic scope for LUPC.

- **Access:** The new lots will be accessed by one of four ways: Litchfield Road; Quamox Road; Jeremiah Road; and the Chasin-Cronig driveway.
- Mr. Provost said the existing roads were in place before the subdivision control law was adopted in 1973. In Edgartown, the minimum frontage for an ANR is 50 feet per lot on an adequate public or private way.
- The Planning Board needs to determine if the accesses are adequate for the potentially increased traffic and if the access from the lot onto the road/way is adequate.

3.4 Affordable Housing

- One of the proposed 11 lots would be a 3.1 acre lot that would be dedicated to affordable housing. The details have not been worked out yet.
- The youth lot would be exempted from association fees.

3.5 Economic Impact

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3.6 Scenic Values

- **Streetscape:**
- **Building Massing:**
- **Architectural Detailing:**
- **A.D.A. Accessibility**

3.7 Local Impact/Abutters

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4. CORRESPONDENCE

4.1 Town Officials:

4.2 Island Organizations:

4.3 Public: