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Martha's Vineyard Commission

Land Use Planning Committee

Minutes of the Meeting of June 12, 2006

Held in the Stone Building, New York Avenue, Oak Bluffs.

Commissioners Present: Carlene Condon, John Breckenridge, Chris Murphy, Ned Orleans, Paul Strauss, Mimi Davisson, Linda Sibley, Megan Ottens-Sargent

MVC Staff Present: Paul Foley, Bill Wilcox, Srinivas Sattoor,

Town: Joe Alosso (Edgartown Wastewater Treatment Facility)

1. GOOD Co (DRI 551-M2) Post-Public Hearing Review

Present for the Applicant:) Gerret Conover, Dick Barbini, Sean Murphy, Michael Donaroma.

Project Location: South Village Road, Edgartown Map 36 Lots 102.1, 102.26-102.31. (7.12-acres of a 23.8-acre subdivision). This proposal occupies the 7 central lots of the approved 32-lot subdivision (lots 1 and 26-31 of B.A.D.D. Co. Subdivision)

Proposal: A private family recreational facility operated for members only, not for profit.

Acting Chairman Carlene Condon opened the meeting at 5:32 pm.

John Breckenridge made an announcement in the spirit of Public Disclosure, he is in the food business and he does business with the Navigator restaurant. He contacted the Ethics Board and they said that if he feels he can be impartial he can sit for the project. He has a letter from the Oak Bluffs Selectmen saying it is ok with them that he sits on this project. It was suggested that he should also address the issue at the Deliberations and Decision.

Wastewater

- All wastewater from the proposed project goes to the Edgartown Wastewater Treatment Facility (EWTF).
- Dick Barbini said that since the last meeting he has looked at the proposed sewer connection closer and they may not need a pump station. This is because the Town is leaning toward requiring grinder pumps at each residence. The whole system will still be designed to connect those neighborhoods (Island Grove, Road to the Plains, Llewellyn Park, etc) but the pump station may not be necessary.
- They could install either individual grinder pumps or a pump station. The Town benefits are the same. Sean Murphy will write a clarifying letter that incorporates that into the offers.
- This will be paid for by whoever builds the subdivision.

- They are saying they can take the water from Island Grove and take it straight to EWTF with Grinder pumps. The pipe will still fit Island Grove, Llewelyn Way, Road to the Plains and possibly an affordable housing project.
- It was suggested that they add the words “or other technology...” to the wording of the offers.
- Funds for other subdivisions that may be connecting to the sewer are going to town meeting. This project is not going to town meeting because those other projects need money and this one does not.
- EWTF are looking at their capacity and what areas they want to connect in the future, primarily households in the Edgartown Great Pond watershed and then they are looking at loads for other areas. Edgartown will probably establish a sewer board.
- Katama Bay watershed definitely benefits from this proposal by removing the effluent from 32 septic systems. Edgartown Great Pond is a nitrogen-impacted pond. Its current load is between 8,000 to 10,000 Kilos/year. This project represents about 45 kilos/year. It does take up some capacity of the EWTF but there is substantial capacity left.
- There are estimates that this arrangement could allow another 300 houses in the watershed to be connected and this is jump starting the process and paying for part of it.
- Bill Wilcox said that the two sub watersheds with the most development could conceivably be having 40-45% of the nitrogen load taken out if the neighborhoods are sewerred.
- A commissioner feels that we need to either address or not the allegations that there is something wrong with the whole operation of the EWTF (aside from the fact that the court has just decided). We either have to address it or state that this is not our business.
 - There is a court case and it was settled, that is the basis we are working from.
 - It would be fair to say that the operation and performance of the EWTF are at best peripheral to the project before us.
 - Staff should come up with appropriate wording with advice from counsel.
- People may be able to tie in to the sewer pipe that will be going down the road subject to Title 5, which says that if a septic fails and that if a pipe is available they can tie in if there is room. However the pipe for this project will be designed so that at most only another 10 homes could tie in.
- Dick Barbini said that on a procedural note, he wrote a memo outlining the proposed modifications to the BADD Co. DRI (DRI 551-M). A commissioner noted that theoretically BADD Co. might have asked us to reduce their number of affordable units. There was nothing in the advertised public notice about the 25 lots outside of the Field Club in the 32 lot BADD Co. subdivision. It was suggested that we should do a separate Modification for BADD Co regarding the sewage flow and number of bedrooms.

Traffic

- Some think there ought to be another way in to the development as in another access from the other side.
- The applicant feels that a second entrance to Crocker Drive is unnecessary and does not eliminate any problem. If they were to do that it would create other traffic problems and impact the neighborhoods.
- One of the conclusions of the traffic study was that the driveway seems to have capacity.

- A commissioner was concerned about the functions and fundraisers that would use busses. We need to take a careful look at the potential number of small functions. How many non-fundraising functions? What is the size of those functions?
- The applicants stated again that it is not their intention to make this a function spot.
- A commissioner asked what if down the road you decide you want to sell the Navigator and shift the action to the Field Club?
- There was some discussion regarding an e-mail that came in from several households in the Down Harbor development with concerns about increased traffic.
- It was noted that the capacity of South Beach is huge compared to this project and that the impact on the intersection of Katama Road and Herring Creek Road would be minimal in comparison.
- It was also noted that all of the landscaping business trucks operating there now would be going away.

Miscellaneous

- The applicants are going to submit additional language on functions and wastewater to clarify some of the concerns aired at LUPC.
- Sean Murphy said that they would make an offer of the energy recommendations in the memo from Ahearn-Schopfer of May 18, 2006.
- A commissioner said they don't recall that we have had any discussion about amplified music. The applicants replied that they will have none and will put it in their clarified offers.

Landscaping

- If we don't have a landscaping plan we usually ask that the plan come back to LUPC.
- Although this is not very visible from any place public the situation suggests that the applicant should have a good deal of aesthetic flexibility. They are going to do one anyway so they should submit it to the LUPC at the appropriate time.

Community Benefits Package

- The applicants have submitted a six-page letter of offers that cover fundraising, swim lessons, ancillary benefits, etc....
- A commissioner said that if you look at section 15 of 831 it talks about benefits and detriments and it talks about things that may not be readily identifiable or tangible. The MVC has tried to slow the quick march to suburbanization. All this project is missing is a guard and a wall. He doesn't see this as being an asset to the Island character. Other commissioners also questioned the community benefit of private clubs.

Membership

- There was some discussion about the details of memberships. The membership stays with the property. If you are a member you and your immediate family are members. You can bring a guest but not every day.

- A commissioner asked what the club would do if members lobby for more hours and services. The applicants replied that they think the ZBA will limit that and they would have to return to the MVC for a modification.
- A commissioner asked how they would control a maximum of 200 people on site at any time? The way it has been done at other clubs is that it is regulated at peak times. The tennis is limited and the maximum number of people on a tennis court is four.

Recommendation

- **Paul Strauss made a motion to approve with non-specific conditions. Linda Sibley seconded the motion.**
- Yes: Paul Strauss, Carlene Condon, Linda Sibley, and Chris Murphy
- No: Ned Orleans
- Abstain: John Breckenridge
- Note: Mimi Davisson had to leave before the vote was taken.
- LUPC voted to recommend the project with conditions 4-1-1.

Adjourned 7:10