

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF JUNE 13, 1991

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a continued public hearing on Thursday, June 13, 1991 at 7:30 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA regarding the following Development of Regional Impact (DRI):

Applicant: Island Elderly Housing, Inc.
RFD 50A
Vineyard Haven, MA 02568

Location: Off Vineyard Haven-Edgartown Road
Oak Bluffs, Ma.
(to rear of Community Services Complex)

Proposal: Construction of 45 units of low-moderate income elderly housing qualifying as a DRI since the proposal will create 10 or more dwelling units.

Due to a lack of a quorum, the Chairman of the Commission, Jennie Greene, called the Special Meeting to order until the needed quorum for DRIs was achieved. The session was called to order at 7:39 p.m.

ITEM #1 - Chairman's Report

Ms. Greene reminded everyone of the site visit for the Taylor DRI on Saturday. She also noted the placement of the new traffic counters and their location. Mr. Simmons explained how the counters worked. Ms. Greene also noted that there would be a meeting on June 20, 1991, to attempt to complete many of the outstanding DRIs. She further noted that Laurie White would be leaving and wished her well.

ITEM #2 - Old Business

Mr. Clifford noted that proposed by-law changes had been distributed for action on June 20.

ITEM #3 - Minutes of June 6, 1991

Mr. Early moved approval as written, duly seconded. Mr. Sullivan raised an issue regarding the use of Roberts Rules and his not being allowed to speak and felt the minutes should reflect his point of order which occurred during the public hearing. A discussion of whether the Commission operated under Roberts Rules of Order followed. (Mr. Schilling reported that Mr. Wey would be at the meeting shortly since he was at a very important town meeting).

Mr. Best felt that the Commission should determine whether it does follow Roberts Rules of Order. A discussion of whether the Commission does follow certain rules during procedures followed. (Mr. Wey arrived).

Ms. Bryant felt that this matter need not be discussed now. Ms. Sibley felt that the minutes should reflect the concern of Mr. Sullivan. Ms. Bryant suggested adoption of the minutes as amended. Mr. Sullivan further explained the issue - that once a person has spoken they may not be heard again until all others have been heard. Mr. Lee discussed the issue of Roberts Rules and the discussion with Don Connors.

The minutes were approved as amended on a voice vote. Ms. Greene then turned the meeting over to Mr. Early to conduct the public hearing.

Mr. Early, Chairman of the P.E.D. read the public hearing notice and noted that the Chairman of the Land Use Planning Committee was away. He noted that the public hearing was a continuation and discussed the procedures for the evening. He called upon the applicant for any comments and opened the hearing at 7:50 p.m.

Attorney Ament discussed the various matters that had arisen at the previous meeting. He discussed the attitude of the HUD Regional office, the relationship to the state building code and sprinkler systems. He indicated that the applicant did not want to have conditions which were unnecessary or unattainable. He discussed the schedule of getting things done. He indicated that unless permits were not obtained by September 1, then it would not be possible to meet the deadlines. He discussed the maintenance area and possible alternative uses. He further discussed the letter from a Dr. Howell and the cost containment issues. He felt that the proposal was approvable and let Island Elderly Housing move forward and if redesign was possible in the future, then it would be undertaken. He discussed the proposed access to the front door for emergency and Lift Van usage. He asked for a decision this evening.

Mr. Early called for Commissioners' questions.

Mr. Wey questioned the need for a sprinkler system and a brief discussion followed. The issue would be discussed later.

Ms. Greene read from a letter from Gary Fauteux regarding handicapped access and wheel chair turning radius. Mr. Fauteux discussed his point regarding the turning radius. A discussion of the 5 foot radius needed and the possibility of increasing the same followed. A discussion of the inclusion of wheel-in showers followed.

Ms. Bryant questioned the possibility of lowering densities to achieve better design. A discussion of the need and of the best plan for meeting that need followed. A discussion of a sprinkler system followed. Mr. Krajiski discussed that particular issue. Ms. Sibley asked for possible cost of sprinkler. Preliminary cost was set at \$60,000. A discussion of this matter followed. Mr. Briggs raised a question regarding the modification of the cost containment guidelines. The applicant had no indication of any changes affecting

the proposal. The proposal was for independent living elderly. A discussion of aging in place and what Elderly Services really wanted to provide followed. Mr. Ament felt that in the future there might be some form of conjugate housing on an adjacent parcel. He further explained the thinking of the proposal and the value of Dr. Howell's letter and input. He further requested approval of this application. Ms. Harney questioned whether the applicant had ever contacted Dr. Howell. There had been no personal contact. Ms. Bryant discussed the items of the proposal that bothered her.

Ms. Greene asked to hear from Dr. Howell. Mr. Early deferred this matter until the public input segment of the hearing.

Ms. White discussed the correspondence that had been submitted since the last meeting. She discussed her contact with the Building Inspector in Oak Bluffs regarding sprinklers. She discussed the emergency access, the waste disposal measures shown, the maintenance garage, and various other concerns. She discussed the selection criteria and the possibility that same may violate federal law. She discussed the possibility of extensions for the proposal and that extensions are possible given the uniqueness and their flexibility.

Mr. Early then called for town board testimony - there was none. He then called for proponents of the proposal. Jackie Cage discussed the issues related to Lift services. She discussed the need for close access for clients and the proposed solution as presented. She discussed the need for the provision of activities for daily living; i.e. grocery shopping, laundry, trash removal, etc. She discussed the location of the site with respect to other services. She felt that given the remote location the proposal would probably become a community unto itself and further discussed this matter. She discussed the reliability of the applicant and their past responsibility.

Mr. Best questioned whether Ms. Cage was a proponent or not. She indicated a rather awkward position of being uncertain due to the apparent lack of addressing certain issues other than verbally.

A discussion of this matter followed.

Rev. Martin discussed the proposal and the need for approval. He noted the reliability of the applicant.

Mr. Early asked then for opponents.

Gary Fauteux discussed the issue of the laundry room and the accessibility of the washers.

Ms. Bryant questioned the number requested. Mr. Fauteux indicated 4.

Mr. Combra asked the applicant for comment. Ms. Lashnits indicated the problems with handicapped washers and that there had been no problems.

Chris Fried, was basically in favor, but felt that there were issues that needed to be addressed. He discussed the building orientation, the usage of more passive heating via natural lighting, the redesign of the structure. He discussed the psychological effects of natural

light. He suggested alternative heating, cooling and insulation methods be investigated. He discussed the garage in the structure, waste management and handling and the need for more common rooms. He also strongly urged the inclusion of garden areas and a greater percentage of natural vegetation be maintained.

Dr. Sandra Howell discussed her background and knowledge of the Section 202 program. She noted that she did not wish to become confrontational but felt that waivers were available when the applicant advocated for certain items. She discussed the pending rules for the program which were scheduled for adoption in June. She discussed the need for more appropriate designs for the Vineyard and the issue of aging in place. She discussed the needed designs which would address aging in place. She further discussed the pending regulation changes and the need to consider that as a possible prototype.

Joe Eldridge, Architect, felt that there were problems with the design with respect to fire safety and the cost thereof; the square footage of fire zones needed to meet codes and other safety features. He discussed the problems with three-floor construction and the possibility of creating two two-story structures. He discussed the orientation of the structure. He discussed the design of the structure and the fact that it really did not meet the needs of the Vineyard. He discussed the issue of increases in elderly housing and the type proposed being a bad proposal.

Eleanor Winderborn, Hillside Village, discussed the amenities of the Hillside Village such as natural light, gardens, ventilation, etc. She discussed what the residents of Hillside Village liked or did not like about their living area. She believed garden areas were quite important and that two floors were best.

Mr. Best questioned the difference between Hillside Village and this proposal. Were there different target groups. Ms. Lashnits discussed the desire to create more of a community for ease of living. She discussed a number of programs that they had discussed including the structure to create a feeling of community. A discussion of this matter followed. Ms. Lashnits felt that the area was not isolated and would be a center with the high school and community services in the area. She discussed the addition of amenities and felt that they were necessary and important. She discussed the use of a maintenance shed vs. a maintenance garage in the building. She discussed the possibility of different uses for the maintenance area.

Mr. Early called for any additional testimony.

Mr. Eldridge felt that the issue of dealing with HUD should be assisted by the MVC. He felt the issues could be addressed by championing the cause for the Vineyard and help the applicant get what it wants.

Ms. Bergstrom asked for faith in Island Elderly and sought support.

Mr. Early called upon the applicant for any closing remarks. Attorney Ament discussed various smaller aspects of the proposal. He discussed what they interpreted as what would be allowed and further discussed the potential for the loss of the funding if the Commission

changes any of the plans. He discussed the meeting of the codes and what HUD would pay for and what they would not allow. He discussed meeting needs and the reasons for approval to go forward and then re-do the plan later. He discussed the benefits vs. the negative aspects of the proposal. He discussed problems of governmental review and the need to go forward with the proposal and he felt that it was approvable.

Ms. Bryant questioned when final plans and not preliminary plans would be presented. Attorney Ament felt what was before the Commission was approvable.

Mr. Early asked for any reasons not to close the hearing.

Mr. Sullivan asked Dr. Howell about the reality of whether there would be the new regulations in place soon. Dr. Howell indicated that there could be no harm in waiting for the end of June to see if the new regulations provide greater latitude in the design. She had problems with moving ahead and hoping for future design changes.

Ms. Sibley raised the issue of whether design changes were required of and what benefit would it be toward the quality of life.

Dr. Howell further discussed the needs of elderly and their preferences, their ratings on lighting, ventilation and other matters. She felt that the MVC should approve the proposal and hope that changes can be made later.

Ms. Bryant discussed the issue of ventilation and natural light and wondered how this had been designed as is. Ms. Lashnits indicated that east-west light was certainly favored by tenants.

A question of cost per unit indicated that the cost would be \$63,000.

Mr. Colaneri questioned why certain issues had not been addressed.

Ms. Lashnits noted some of the issues had been addressed and felt that the less-than independent people could not use sidewalks. Mr. Best related his perception of usage of facilities by the elderly such as sidewalks, etc. He questioned whether a denial would get more of a reaction from HUD than an approval would.

Attorney Ament felt a denial would kill the proposal. Dr. Howell did not but felt that the force of the Commission should be placed upon HUD and wait for the new regulations. Mr. Krajiski felt that the Commission did not have the authority to face changes. A discussion of this matter followed.

Mr. Hall questioned the zoning; Ms. White indicated Res.-3. Mr. Hall further discussed other design matters with respect to comprehensive permits as related to height. Ms. Lashnits indicated that the Selectmen felt that 3 stories were enough.

Attorney Ament again pleaded for approval or lose the funding.

Mr. Briggs discussed the constraints of the HUD rules and whether the design changes suggested by others would be cost effective and would they (the applicant) put a commitment in writing to those changes.

Yes, was the response.

Mr. Lowe, the Architect, indicated his commitment to a better design.

Ms. Greene explained the process of how changes would need to return to the Commission again. Ms. Lashnits questioned recommendations rather than conditions. Ms. Greene indicated that there could be no recommendations but conditions.

Ms. Sibley indicated she favored continuance for two weeks.

Ms. Bryant questioned whether the concerns for light and ventilation had been presented to HUD. Mr. Lowe indicated no, and further

discussed the issue of building functions, ventilation, lighting and social contact.

A discussion of what the real issue was followed.

Mr. Early called upon Mr. Clifford to explain the authority of the MVC.

Mr. Clifford explained the purpose of the Commission as outlined in Chapter 831 and listed a number of agencies or organizations who have also questioned the authority of the MVC and learned otherwise. He indicated that if the applicant needed any assistance with HUD, then ask the Commission for that help.

Mr. Colaneri questioned why the design was different than the proven designs here on the Vineyard. Ms. Lashnits discussed the sense of community and how it took time to develop.

Mr. Hall questioned the funding. Attorney Ament explained the method of funding the proposal. He indicated that he had not meant to question the authority of the MVC.

Mr. Hall questioned what the sponsor contribution would be. None was the response.

Mr. Wey questioned the timetable. Ms. Lashnits indicated 18 months from the beginning. A discussion of this matter followed.

Ms. Sibley thought a special subcommittee should be structured to keep the applicant. A discussion of this matter followed. A discussion should be structured to keep the applicant. A discussion of this matter followed. A discussion of alternative plans followed.

Mr. Hall questioned whether this would be a prevailing wage law project. None knew but guessed yes.

Mr. Early sought a consensus regarding the next move.

Mr. Combra questioned the level of design. Mr. Lowe indicated preliminary. A discussion of this matter followed. Mr. Combra favored a special committee to work with the applicant.

Mr. Early again questioned whether the Commission wished to have the hearing continued further. The consensus was yes.

Mr. Early then indicated that the hearing would be continued for two weeks and the record remain open.

The Commission then took a brief recess to give the applicant a chance to remove some of his materials and displays.

Ms. Greene reconvened the Commission and asked for any further committee reports. Mr. Best asked if there were any ways that Jack Clarke could be brought down to the meetings. Mr. Clifford explained the mechanisms available.

ITEM #5 - Possible Vote - Written Decision - Goodell DRI

It was moved and seconded that the written decision be approved as written.

Mr. Wey questioned one of the names which appeared in the decision. A clarification of which Commissioner had raised a particular issue on Title V followed.

Mr. Hall moved an amendment to change the wording from "provide" to "dedicate" with respect to the proposed easement, duly seconded. So voted.

The written decision was approved as amended on a vote of 12 yes, one abstention.

A brief discussion of the fee to be applied followed.

Ms. Greene noted that everyone had received the policy plan and to read it in anticipation of a vote on June 20.

Mr. Clifford explained the changes in the report and who had responded to requests for comments. He further noted the parts of the Master Plan which had already been completed and those which were in the works.

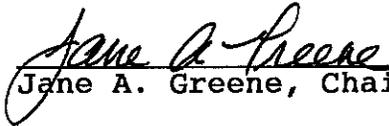
Ms. Greene thanked Ms. White for the housing report and the time taken to complete the same.

ITEM #6 - New Business.
There was none.

ITEM #7 - Correspondence.
There was none.

There being no further business the Commission adjourned at 10:30 p.m.

ATTEST


Jane A. Greene, Chairman

6/20/91
Date


Thomas Sullivan,
Clerk/Treasurer

6/20/91
Date

Attendance

Present: Best, Briggs, Bryant, Colaneri, Combra, Donaroma, Early, Greene, Hall, Lee, Sibley, Sullivan, Wey, Harney

Absent: Jason, Schweikert, Benoit, Clarke, Allen, Davis, Geller