

# THE MARTHA'S VINEYARD COMMISSION

BOX 1447 • OAK BLUFFS  
MASSACHUSETTS 02557  
(508) 693-3453  
FAX (508) 693-7894

## **Land Use Planning Committee Summary of March 1, 1999 Meeting Olde Stone Building Oak Bluffs, MA**

**Members Present:** John Best, Christina Brown, Marcia Cini, Michael Colaneri, Michael Donaroma, Jane Greene, Lenny Jason and Richard Toole

**Staff Present:** Andrew Grant, David Wessling and William Wilcox

**Audience:** James Beckman, Joseph Dinelli, Richard McCarron, Ralph Packer and Fred Waters

Meeting opened by Michael Donaroma, Chairman, at 5:35 P.M.

### **Tar Kiln Subdivision DRI #470**

The members present voted unanimously to recommend approval of the proposed subdivision with these conditions:

1. That the subdivision will consist of 29 lots as follows -  
2 "open space" lots,  
7 building lots to be reserved for "affordable housing" and  
20 building lots to be reserved for market rate housing.
2. That the Applicant's offers concerning protective covenants, conservation easements and restrictions be accepted.
3. That the existing foundations and septic systems for the "affordable housing" lots comply with state and local codes and regulations.

Mr. Donaroma began the meeting by summarizing the proposal's status and then invited questions from the members.

Mr. Colaneri asked the applicant to summarize the proposal.

Response: Mr. McCarron replied that the project consists of 45 lots (2 "open space" lots, 13 "affordable housing" lots and 30 market rate lots) with utilities on 30 acres.

Mr. Colaneri and Ms. Brown asked William Wilcox to report on the proposal's nitrogen loading impacts.

Response: Mr. Wilcox reviewed the estimates made by the Applicant's consultant, explained the nitrogen loading limits for the Edgartown Great Pond and presented his analysis. His written comments are appended.

Mr. Colaneri, Ms. Brown and Mr. Jason asked Mr. Wilcox questions concerning the reliability of nitrogen loading assumptions, the nitrogen load targets and results of nitrogen load monitoring.

Response: Mr. Wilcox cited the results of nitrogen loading studies conducted on Cape Cod, similar studies conducted Dr. Arthur Gaines and discussed the cost of monitoring as well as the status of on-going studies.

Mr. Colaneri asked Mr. Wilcox to convert the nitrogen loading impacts to an equivalent number of bedrooms.

Response: Mr. Wilcox stated that, based on nitrogen loading calculations, (tape interrupted) bedrooms would be allowed. On the other hand, the Edgartown Board of Health would permit 87 bedrooms. The use of denitrification systems would allow addition bedrooms.

Mr. Colaneri, Ms. Brown, Mr. Jason, Mr. Best and Mr. Wilcox discussed the advantages of denitrification systems for the proposed subdivision.

Mr. Colaneri moved to recommend approve the proposal with conditions. He added that the project should provide at least 4 "affordable houses" to the Dukes County Regional Housing Authority and that the remainder of the lots conform to the Zoning By-law's lot size requirement (i.e., 1.5 acres). Motion seconded by Mr. Toole. During the motion's discussion:

Mr. Donaroma, Ms. Greene and Mr. Jason argued for a greater number of "affordable housing" lots, members compared the motion with the "as of right" affordable housing requirement, members debated the prospective financial gain of the proposal and alternatives to the Applicant, members considered a density limit based on nitrogen loading limits, and members estimated the benefits of the affordable housing contribution to the regional and to the local housing stocks.

Mr. Colaneri amended his motion: the proposed number of housing lots to consist of 7 "affordable housing" lots and 20 market rate housing lots. (Each house lot to be designed for no more than 3 bedrooms and equipped with a denitrification system capable of 60% nitrogen reduction.) Amended motion seconded by Mr. Toole. All members present voted in favor of the motion.

Members discussed other condition pertaining to open space, the preservation of Dr. Fisher Road and paths/walkways/sidewalks. Mr. McCarron and Mr. Waters participated in the discussion. The members unanimously agreed to recommend acceptance of the Applicant's offer concerning protective covenants, conservation easements and restrictions. (See file - January 19, 1999 document submitted by Mr. McCarron.)

**TES - Packer Gas DRI #479**

Ralph Packer introduced himself and his agent, James Beckman, to the Committee. Referencing site and building plans and renderings, Mr. Beckman outlined the proposal's main points:

- demolition of existing structures,
- construction of a 3 pump fueling station offering 3 grades of gasoline and diesel fuel,
- facilities for car rental (parking area for 7 vehicles and accessory building),
- "state of the art" pollution control devices and underground tanks,
- groundwater monitoring program,
- hours of operation (24 hours),
- installation of a new septic system,
- traffic study scope, and
- lighting plans.

Mr. Packer proved additional information as to type of services to be offered ("under the hood" repairs, potential for self-service) and the elimination of an existing apartment,

Mr. Donaroma, Mr. Jason and Mr. Colaneri explained the Commission's affordable housing policy to the applicant.

Mr. Colaneri asked the Applicant about the ownership of the gas station site and abutting properties and vehicular access.

Response: Mr. Packer described the ownership of the lots and described the access to the lots. Members discussed the shared access (i.e., curb cut) and the number of actual and proposed land uses. Site access to be highlighted in the proposed traffic study.

Mr. Packer and Mr. Beckman, in response to questions from Committee members, described the security and safety of the underground storage tanks and the traffic study. Mr. Donaroma stated that the traffic study should consider the proposal's effects on Five Corners and the intersection of State and Edgartown Roads.

Mr. Best asked the Applicant questions concerning vapor recovery.

Response: Mr. Packer explained the different types of recovery systems: All Island fuel stations must have Stage 2 equipped pumps but Island fuel terminals are exempt from Stage 1 recovery systems (applicable to the delivery trucks).

Bill Wilcox asked the Applicant questions concerning the on-site containment of surface water runoff and capture of spilt fuel.

Response: Mr. Packer and Mr. Beckman described the proposed spill recovery systems. Mr. Colaneri requested detailed plans as to surface drainage and spill recovery.

Mr. Donaroma closed the discussion by directing the Applicant to work with the staff in order to be certain that all the required information is submitted prior to the scheduling of a public hearing. Mr. Colaneri concurred.

Note: Mr. Jason was not present during the proceedings.

### **Island Propane DRI #495**

Joseph Dinelli, the Applicant's agent, presented the proposal to the members.

The proposal is to store propane gas in two tanks on a leased lot at the (Martha's Vineyard Airport) Business Park. He described the surroundings, access roads, surface drainage and paving materials, "no-cut" areas on the site, and the locations of fences and accessory buildings.

At the completion of the presentation, the members agreed that the application (as submitted) was incomplete. They recommended that the Applicant return to an other LUPC meeting with plans and details concerning:

- the locus,
- all the uses intended for the lot (i.e., storage, offices, retailing, truck parking, etc.),
- fencing and other security measures,
- traffic flow within the site,
- insurance, and
- comment letters from the Chiefs of the Edgartown Police and Fire Departments.

Meeting adjourned at 7:10 P.M.

Summary prepared by David Wessling