

THE MARTHA'S VINEYARD COMMISSION

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Land Use Planning Committee Summary of June 26, 2000 Meeting Olde Stone Building

Members present: John Best, Christina Brown, Michael Colaneri, Michael Donaroma, Jane Greene, Lenny Jason, Michele Lazarow, Linda Sibley, Richard Toole

Staff present: Christine Flynn, Bill Wilcox, David Wessling,

Others present: See attached list

Meeting opened at 5:40 P.M. by Michael Donaroma

Down Island Golf Club (DRI #515)

After some brief preliminary comments by the Members, Ms. Brown suggested to the Chairman that each of the review criteria in Section 15 (of Chapter 831) should be discussed generally.

Mr. Donaroma, however, reviewed the discussion concerning Section 15(a) that occurred at the Commission's June 22nd meeting. Mr. Colaneri and Ms. Sibley recounted their interpretation of "appropriateness". She added the importance of the "Native American archaeological site" as a reason why the proposal is "not appropriate at the location". Mr. Colaneri disagreed with Ms. Sibley and suggested that the presence of an archaeologist during construction as a condition of approval. Mr. Donaroma and Ms. Greene then discussed the Wampanoag Tribe's "zero tolerance" policy. Ms. Greene said that the policy applies to burial sites and not to camp sites.

Mr. Toole described the golf club property as "the last remaining large tract of woodlands" in Oak Bluffs while arguing that the site "is not a good place for a golf course". Ms. Brown followed by also arguing against the proposal calling it not "essential" because the woodlands should be a place for "natural" recreation. Mr. Colaneri reminded Ms. Brown about the Applicant's trail preservation proposal.

Mr. Jason, noting the need for a golf course in view of demand and supply factors, the land's elevation above the groundwater table and Oak Bluffs' zoning bylaw, concluded that the proposal is appropriate and essential.

Mr. Donaroma called for a vote. The Members' vote was 4 in favor and 4 against the motion that "development at the proposal is essential or appropriate..." (Mr. Best was not present. Mssrs. Colaneri, Donaroma and Jason and Ms. Greene voted in favor of the motion.)

After the vote, Mr. Jason asked: where would an appropriate location be? Mr. Toole replied, West Tisbury. He also said that Oak Bluffs already has a golf course. Ms. Sibley said that she knew "of a property that would be more appropriate than this one". She then went on to quarrel with the language of Section 15(a) which was written "when this Island was not at all highly developed". Continuing on, she said that "golf is an extremely land consumptive sport" and that "you can't justify [the destruction] of 200 acres of woodland". Her comment led to comments from other Members regarding "open space".

Next, Mr. Domaroma turned the discussion to Section 15(b). Mr. Colaneri responded by saying that the golf club "is a better alternative in light of more housing". Ms. Lazarow described her dilemma: the choice of "natural beauty" versus public access.

Ms. Brown suggested alternatives such as a municipal golf course and housing. She added that in such alternatives, trails and woodlands would remain since the Commission could influence the developers. Ms. Sibley criticized the Applicant's site plan while arguing that an environmentally sensitive housing design is possible. She said that "it's high time, in fact, that we start developing standards for individual manipulations of property".

Mr. Jason cited the positive impact of the Lagoon Pond Restoration Program.

Mr. Toole commented that "there's nothing that they [the Applicant] could do to change what they're going to do, that is to destroy this habit..." Preserving the woodlands was the basis of his remarks. "In the best of worlds", Ms Greene shared Mr. Toole's vision. "But", she said, "that's not what's before us". She said that a subdivision would have "major impacts" (i.e., nitrate loading) on the ponds. Mr. Best insisted that any residential subdivision proposal should include a denitrification proposal similar to the Applicant's.

As to whether the proposal would have a more favorable impact on the environment..., the Members voted 4-5 against the motion. (Mssrs. Colaneri, Donaroma and Jason and Ms. Greene voted in favor of the motion.)

With regard to Section 15(c), Ms Greene said that with "appropriate conditions", the proposal should not adversely affect other persons and property. Ms. Sibley said "that it would be hard to figure it [the impacts] out". She talked about the loss of "natural" open space. Mr. Jason then said, that "the conflict with Featherstone Farm" could be resolved. To that, Ms. Sibley said that the clubhouse location makes the proposal adverse.

Ms. Lazerow added that traffic to and from a golf club would adversely affect other persons and property. Mr. Colaneri disagreed.

Mr. Toole was worried about a "loss of connection" between the Southern Woodlands and the State Forest. He said that a connection is necessary for birds and mammals.

Ms. Sibley returned to the effects of the golf club on the abutting Featherstone Farm. Ms. Brown added that the golf course would have an adverse effect on the abutting Land Bank property. Ms. Greene said that she could not recall any other DRI which involved a "Land Bank" condition.

Mr. Donaroma called the vote. The motion (the proposed development will favorably affect other persons and property) carried 4-3 with 2 abstentions. (Mssrs. Colaneri, Donaroma and Jason and Ms. Greene voted in favor of the motion. Ms. Lazarow and Ms. Sibley abstained.)

Concerning the proposal's effects on the supply of affordable housing, Mr. Colaneri suggested an additional monetary contribution. Mr. Jason was torn between Mr. Connor's (the Applicant's lawyer) summary statement and Mr. Mechur's testimony. Essentially, Mr. Jason's comments pertained to whether or not the Applicant was willing to comply with the Commission's "new" affordable housing policy.

Ms. Flynn was called on to summarize the "new" policy.

Ms. Sibley admitted that without a "nexus study, we don't have a real good basis for determining if this [proposal] is creating a new demand for housing in a difficult market..." Mr. Colaneri followed by saying that the "new" policy should apply to the proposal.

Ms. Lazarow described the need for additional housing because the golf club would attract members "from other places" who would need housing. Ms. Greene agreed with Ms. Lazarow and surmised that the club's workforce would be greater than the Applicant's estimate and thus the housing need was underestimated. Her solution was to call for a "sizeable donation".

Ms. Sibley requested a vote based on the Applicant's offer rather than to discuss conditions. Mr. Jason asked: does the Applicant's offer comply with the Commission's policy? He noted that the Applicant's offer exceeds the Commission's policy in force at the time of the DRI application submittal. Ms. Greene said that the offer was insufficient.

Ms. Sibley defined a policy as a guideline. Compliance with the Commission's housing policy, she contended, "does not automatically mean that [there won't be] a negative impact". She agreed with Ms. Greene in that the golf club will be creating a "large demand for housing".

Mr. Toole reminded the members that "Oak Bluffs is the town on the Island that has the most affordable housing". He was concerned that housing prices are being "notched up" so as to exclude working class/middle class people. Ms. Lazarow said that her thoughts on the matter were similar to Mr. Toole's "notch up" proposition.

Before voting on Section 15(d), the Members revisited the golf club versus residential subdivision debate.

The vote having been called, the Members decided that the proposal would have an adverse effect on the supply of affordable housing. (Mssrs. Colaneri, Donaroma and Jason in favor of the motion. Ms. Brown abstained.)

Sections 15(e) and (f) received 8 votes in their favor. In effect, the Members agreed that the proposed development would not unduly burden municipal services or planned public facilities. During the discussion, the Members discussed the Applicant's offer to contribute funds to the town; the Applicant's fiscal impact analysis; and Oak Bluffs' water supply.

Ms. Greene abstained from voting on Section 15(e) and Mr. Toole abstained from voting on Section 15(f).

With respect to Section 15(g), Mr. Colaneri said that the use was permitted; Mr. Toole wanted a municipal golf course; and Ms. Sibley claimed that the proposal was inconsistent with the Town's Open Space Plan.

Ms. Sibley said that she "didn't get all of this [referring to the Open Space Plan] that the Town was supporting the conversion of the Southern Woodlands into a private golf course". She also referred to Open Space Plan's questionnaire in which the "overwhelming majority of the people in Oak Bluffs...wanted a family oriented resort".

Mr. Colaneri likened golf courses to "open space". But Mr. Toole said that most people think of open space as natural habitat.

Mr. Jason and Mr. Donaroma understood the Applicant's offer to permit public access to the property's trails as a benefit in keeping with the Open Space Plan.

After the vote was called, 4 Members agreed that the proposed development will aid the Town of Oak Bluffs to achieve the objectives of its general plan. There was 1 abstention (Ms. Lazerow) and 3 Members voted "no" (Mr. Toole, Ms. Brown and Ms. Sibley). Mr. Best was not present.

Ms. Brown and Ms. Sibley presented their views that the proposal contravened the Commission's general plan. They cited the policy plan's "balanced economy" and natural resources objectives. They also claimed that the proposed golf course would be a suburban land use. Soon thereafter, the vote was called. 3 members (Mr. Toole, Ms. Brown and Ms. Sibley) voted that the project will contravene regional/state land development objective; 4 members voted "no" with Ms. Lazerow abstaining. Mr. Best was not present.

The final matter was a vote to recommend approval of the proposed development with conditions. Ms. Greene made the motion and Mr. Colaneri seconded it. Mr. Donaroma counted the vote: 4 members in favor of the motion; 2 opposed (Mr. Toole and Ms. Sibley) and 2 abstentions (Ms. Brown and Ms. Lazerow). Mr. Best was absent.

Meeting adjourned at 7:00 P.M.

Summary prepared by David Wessling