

THE MARTHA'S VINEYARD COMMISSION

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Minutes of the Special Meeting of April 10, 2003

Held in the Olde Stone Building,
33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: Jim Athearn, Chairman (Elected – Edgartown), John Best (Elected – Tisbury), Christina Brown (Elected – Edgartown), Linda DeWitt (Appointed – Edgartown), Jane A. Greene (Appointed – Chilmark), Tristan Israel (Appointed – Tisbury), Katherine Newman (Appointed – Aquinnah), Megan Ottens-Sargent (Elected – Aquinnah), , Robert E. Schwartz (Appointed - West Tisbury), Alan Schweikert (Appointed - Oak Bluffs), Douglas Sederholm (Elected - Chilmark), Linda Sibley (Elected -West Tisbury – Elected), Paul Strauss (Appointed Dukes Count), Richard Toole (Elected - Oak Bluffs), Andrew Woodruff (Elected - West Tisbury).

Staff: Mark London (Executive Director), Christine Flynn (Regional Planner), Jennifer Rand (DRI Coordinator), Bill Wilcox (Water Resources Planner), Bill Veno (Regional Planner).

1. TISBURY WHARF (DRI No. 565) - PUBLIC HEARING

Commissioners present for the Public Hearing: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, L. Sibley, D. Sederholm, P. Strauss, R. Toole, A. Woodruff.

At 7:37 p.m., there being a quorum present, Christina Brown, the Hearing Officer, opened the meeting and read the Notice of Public Hearing. Christina Brown immediately opened and continued the Public Hearing to May 1, 2003, as requested by the applicant.

2. CHURCH STREET LANDING (DRI No. 567) - WRITTEN DECISION

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, , D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff.

Jane Greene moved and it was duly seconded to approve the written decision as written.

Roll call vote. In Favor: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, , D. Sederholm, P. Strauss, R. Toole, A. Woodruff. Opposed: None. Abstentions: Linda Sibley. The motion carried.

3. TOM'S NECK FARM (DRI No.483) - EXTENSION REQUEST

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, L. Sibley, D. Sederholm, P. Strauss, R. Toole, A. Woodruff.

Linda Sibley moved and it was duly seconded to approve a six-month extension.

Voice vote: In Favor: 16. Opposed: 0. Abstentions: 0.

4. VINEYARD YOUTH TENNIS (DRI No. 539) - EXTENSION REQUEST

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, L. Sibley, D. Sederholm, P. Strauss, R. Toole, A. Woodruff

Jennifer Rand explained that the "bubble" over the courts was supposed to come down next week but this would pose difficulties given the weather., the formal modification request has not been forwarded from the town yet. Jennifer Rand suggested that for this year, the Commission approve on a one-time basis to extend the deadline until May 10, 2003.

Linda Sibley moved and is was duly seconded that the deadline be extended until May 10, 2003. Voice vote. In Favor: 12. Opposed: 0. Abstentions: 3.

5. BRIDGE HOUSING (DRI No. 560) - CONTINUED PUBLIC HEARING

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, L.Sibley, D. Sederholm, P. Strauss, R. Toole, A. Woodruff.

Present for the Applicant were: Brad Austin, President of Bridge Housing Corp.; Peter Wells, representing Vineyard Land Surveyors and Carlos Montoya, landscaper and owner of Pitch Pine Nursery.

5.1 Applicant's Presentation

Brad Austin gave an update on the water issues.

- Bridge Housing Inc. went back to the Martha' Vineyard Land Bank to solve the nitrogen problems. Bridge Housing Inc. will acquire 14.8 acres, which is about 10% more land than they need to meet Title 5. The Martha's Vineyard Land Bank will acquire 9.2 acres and will have a conservation easement on 6.4 acres.
- The leaching fields will be all along the west side of the property. All water will be Town water so wells are no longer an issue.
- They have dropped one building with two units(4 bedrooms). All houses are out of the 200' Roadside District except for one, one-story building. It is noted that this District has a height restriction. It is not a no-build zone
- They have moved the houses away from Red Coat Hill Road to the back of the property. The location of the diagonal line at the back of the property has been moved.
- To pay for the extra land, they moved two 2-bedrooms units from 60% to 120%-140% of median income. This not only pays for the land but puts them ahead by \$260,000.

John Best asked whether there was more information about the impact of the construction of the water line. Brad Austin said that the Water District had confirmed that no trees would be removed, and that there might have to be a little fill where it crosses near the causeway.

Tristan Israel asked about cost. Brad Austin said the cost estimate was \$80 per foot and they are using \$100 per foot for a total of \$365,000. They have an estimate from Deacon Perrotta, but the Water District cannot formally confirm a price.

Linda Sibley was concerned that even if trees were not cut but had fill put near them, that the drainage could be affected, causing the trees to die. Tristan Israel asked whether Bridge Housing would be amenable to protecting the trees from having fill piled around them. Brad Austin said yes.

Andrew Woodruff asked if the pavement had to be cut. Brad Austin said that the driving surface would not, unless a repair is needed during construction.

5.2 Staff Report

Bill Wilcox presented a summary table of the wastewater disposal considerations.

- The whole project was in the Zone of Contribution for the Tisbury town well.

- As presently proposed, it would meet the Title 5 requirements for the area required per bedroom, the separation between the leaching area and the property lines, the separation between wells and leaching areas, the separation between the leaching trench and groundwater and the size of the leaching area.
- With respect to the drinking water quality, based on estimated flow and assuming distribution along 1,500' of leaching trench, the concentration is estimated at 9.5 ppm at the property line based on a worst case scenario. That is within the 10ppm limit.

Andrew Woodruff asked whether this wasn't close to the limit? Bill Wilcox said there already was a safety factor. Also the abutting wells probably draw at 25' deep in the water table, so the wells near the property would be further diluted by groundwater and unaffected by wastewater.

Jim Athearn asked how the direction of flow was calculated? What if the flow is the wrong way? Bill Wilcox said it was based on a computer model that indicated a flow to the east. There should be monitoring wells, at least one on the up-gradient side and two on down-gradient side. Brad Austin said they are planning two monitoring wells on the west and three or four wells on the east side of the site.

Linda Dewitt asked whether a percolation study was done? Peter Wells said yes, Kent Healy had done this and confirmed the percolation rate. Bill Wilcox said the soil was very sandy and porous.

Linda DeWitt asked why The Assembly of God well is apparently contaminated. Bill Wilcox said he was not sure, he had heard it was too close to the septic field.

Andrew Woodruff asked Bill Wilcox to clarify the flow in relation to groundwater and also questioned whether there would be more of a downward flow into the water table? Bill Wilcox indicated that the waste water plume is forced down into the water table by recharge of precipitation as it moves across the property. There may be some added vertical component due to mounding where effluent reaches groundwater, but he suspects that it is a small factor. Doug Sederholm asked could Bill Wilcox address the question of mounding; might it be sufficient to reach the Bilzarian well. Bill Wilcox said that adding a lot of wastewater could change the direction of flow, but he didn't think it was likely that it could reverse the flow to reach a well 100' away.

Tristan Israel asked whether, by putting the leaching along the west side of the property, it would make a more diffuse plume or make it head into a northwest direction. Bill Wilcox said that the original proposal had nine leaching fields for 900 linear feet. Now the proposal is for 1,500 feet so there is more opportunity for waste water to be diluted before it hits the property line. By extending the leaching fields, it will affect more of the water table but will be less concentrated.

Brad Austin asked how using town water for houses and irrigation affected dilution. Bill Wilcox said it would effectively bring new water from offsite so that it avoided the recycling effect and further reduced nitrogen levels.

Andrew Woodruff asked Bill Wilcox whether he agreed that it was impossible to have wells on the site in order to save cost. Bill Wilcox said his analysis was based on the DEP formula and he had thought that the width of the site might have permitted wells, but DEP has made it clear that this would not be acceptable. With the leaching fields on the west side of the site, this would no longer be possible within the project site.. Brad Austin said that this would not save money since Bridge Housing Corp. would have to purchase more acreage.

Tristan Israel asked about how to make sure the monitoring wells work. Bill Wilcox said it was essential that the screens be located over a large range of depths to get a representative sample. If the monitoring wells showed excessive nitrogen, after a confirmation test, then the waste water system might require denitrification. Tristan Israel asked Bill Wilcox to put together a clear condition. Bill Wilcox said that the Bridge Housing Corp. also needed to address how to pay for the correction, if it is needed.

Peter Wells showed a plan of the 14.9 acres with 9 lots permitted in zoning with 6 bedrooms (perhaps in one or two buildings). This would have 54 bedrooms. He showed how the septic might be located if they were individual lots. They would be spread over a much larger part of the site and closer to the down-gradient property line. This would have a greater impact on abutters than the Bridge proposal.

5.3 Public Testimony

Martin Tomassian asked Tom Noble to review the impact of the purchase of the six additional acres as now proposed by Bridge Housing Corp. He submitted a letter to the Commission today.

Tom Noble had talked to Bill Wilcox but hadn't seen the plan until tonight.

- The leaching fields would require 1,700 or 1,800' of clearing in one line, and would result in a large loss of buffer on the west side of the property.
- Usually these leaching fields are parallel to contours when they get to a hillside. Terracing would have to be used with cut and fill that would change the topography.
- Title 5 requires a reserve area for trenches in case one fails, he and suggested that the calculation be based on the possible location of where the reserve wells would be. He would not feel comfortable thinking that the nitrogen level in his well was 9.5.

Brad Austin said there was already a roadway from State Road to the ridge line. There was only a small section that would have to be terraced or possibly relocated. Peter Wells said that requirements were that a need be demonstrated for a reserve well and to have room on the lot for it. In this instance they would use concrete tanks and would clean out the sand rather than relocate them.

Jim Athearn asked whether both the bottom and top of the trenches needed to be level. Tom Noble said only the bottom trench needed to be level. Jim Athearn asked for clarification of how much of the leaching area was not already in a cleared area. Brad Austin said only the area north of the ridge and that they would work with the Land Bank and use this as a path.

Ellen Kaplan asked whether it was true that in Zone II only a discharge of 60 gallons per day was allowed so it wouldn't be over the limit of 440 gallons per acre. Tom Noble said that Title 5 uses 40,000 square feet per acre so actually there would be a little bit more acreage which was enough to meet the 440 gallons per acre rule. John Abrams pointed out that all the calculations were based on very lavish numbers; at 100 gallons per day this meant taking 10 showers a day, and flushing the toilet 30 times per day. Peter Wells said that they are allowed 440 gallons per day and they will only use 390 per day. Tom Noble agreed that the 440 gallons per acre requirement had been met.

Carol Collins lives at the end of Deer Hill Road. She put her life savings into her 900 square foot house. Her well is in the poison plume. She lives 1/3 of a mile down the road. If her well

becomes polluted, it would cost \$176,000 to put in town water. The whole water issue is unclear; they are adhering to the letter of the law. This project directly affects their lives. Brad Austin pointed out that the cost of running a 2" domestic water line is only \$18-20 per linear foot, not the \$100 for a public water line.

Ellen Kaplan asked whether the calculation includes the possibility that there would be grass. Bill Wilcox said the turf area would only be a half acre and would be naturally fertilized. The 9.5 ppm does not include that.

Martin Tomassian showed a plan showing the project in relation to the Manter and Tashmoo Wells. He felt it was risky to take a chance on septic systems based on a conceptual design with no specific data about the site. Bill Wilcox said that he didn't have Kent Healy's numbers, and hadn't investigated what the problem was with the Assembly of God. Martin Tomassian said that without specific data, you might as well have a Ouiji board. What if it is built and then the wells become contaminated. Brad Austin said that the Title 5 System has the most restrictive septage standards in the USA and that this proposal is well within the standards. There is enough data to understand the situation.

Bill Wilcox explained where the 10ppm standard comes from. The standard for safe drinking water already has a safety factor built into it. Excessive nitrogen affects the oxygen absorption, especially of elderly people or babies.

Megan Ottens-Sargent asked whether there was an existing plume. Bill Wilcox said that this is not a concentrated plume and that there is no information on the up-gradient plumes. Megan Ottens-Sargent asked if Bridge Housing Corp. pipes in the water, wouldn't this be beneficial since town water would then be available. Bill Wilcox said yes.

Richard Toole commented that this would not be very different than if the site was built according to zoning.

John Best said that the theoretical number of bedrooms allowed in zoning would not necessarily be approved.

Tristan Israel asked whether having a Town water line would enhance hydrant usage. Jennifer Rand read a letter from Tisbury Water Works which unanimously supported the project and also mentioned the added benefit of reduced insurance rates for abutters. Brad Austin said hydrants would be placed routinely every 1,000 feet.

Jim Athearn asked Bill Wilcox to clarify how much existing development east of site contributes to nitrogen loading factors.

Brad Austin showed a plan with neighboring houses, guest houses, and significant outbuildings, and two plans for the Bridge site; one with a similar pattern of development as allowed under zoning and the other, the Bridge proposal. The first option had a large number of structures spread all over the entire property. Although the buildings are more concentrated with the Bridge proposal, two-thirds of the property is preserved as open space. Martin Tomassian said it was speculation as to what might happen on the property.

Peter Wells said that based on Title 5, there could be 84 bedrooms, if the land was subdivided under zoning. If the site was developed as a single development under a comprehensive permit there could be 104 bedrooms. They are proposing only 60 bedrooms.

Tom Noble noted that the 440 gallons per acre rule still had to be met, whether doing a local subdivision or 40B project. Linda Sibley said that comparing to what could be built under zoning did not take into consideration that this might not be approved by the Commission.

Jennifer Rand read from a letter from the Board of Health saying that the Vineyard Assembly of God situation is one that the well was not contaminated, but that they cannot provide water to public since as a church, they had not provided a 100' separation between the leaching area and the well. Tristan Israel asked what sparked the concern.

Peter Wells said they hadn't drilled wells yet for financial reasons. He wondered if abutters had tested their wells and what the background nitrogen levels were.

Christina Brown declared a recess to the Meeting at 9:10 p.m. and resumed the Meeting at 9:15 p.m.

5.4 Second Applicant's Presentation

Brad Austin outlined other changes to the project.

- The number of units were reduced from 32 units in 16 buildings to 30 units in 15 buildings.
- The income strata was now 4 at 120-140% of median, 8 at 100-120% of median, 8 at 100% of median, 10 under 80% of median. They are still aiming for some under 60% but will let banks decide. That change accommodated buying the additional acreage, and adds almost \$300,000 to address the concerns about finances. The project has a 15% contingency.
- They moved all the houses away from Red Coat Hill Road.
- The plan had 53 white pines, and now has 10 more on the westerly side of the site. They are prepared to locate them in cooperation with Mr. Bilzerian to most effectively screen his view.
- Now there is room for two cars per unit (was 1.5), plus 15 guest spaces. They have reduced the road surface area so the total impervious surface area is the same.
- The houses have been moved further back from State Road. The ones on the side have the same setback.

Andrew Woodruff asked whether it was possible to change the access road to minimize the impact on the buffer. Brad Austin said that this would correspond to the existing curb cut, and that he could swing the road up some more so that it pushed out of buffer sooner. He said that he wanted to keep the serpentine aspect of the road to provide visual screening.

Jim Athearn said that there is still a house within the buffer zone. Brad Austin said that he wanted to keep the houses from being too congested, keep them a distance from Red Coat Hill Road, and that he wanted one house nearer the road to allow easy access for a handicapped or elderly resident.

5.5 Additional Public Testimony

Philippe Jordi of the DCRHA said that they have a register of 124 people looking for housing, (48 from Tisbury). 80 individuals are in the 60-80% of median income, about 23 in the less than 60% median income group, and 18 in the 80 to 120% median income group. John Best said that he would speculate that people higher than 80% would not register since they may not think that they would qualify for affordable housing. Philippe Jordi said yes, it is probably weighted to the lower end. The needs study showed that there was a real need up to 140%. The regional housing authority has submitted a letter of support.

Tristan Israel asked about the impact on addressing Tisbury's target of 10% affordable housing with respect to 40B. Brad Austin replied that since the project was a coop, the State would apply all 30 units to the target.

Martin Tomassian asked whether Phillippe Jordi agreed that this project is not affordable to most people who need it. Phillippe Jordi disagreed, stating that this project serves those who are most in need of housing.

Laury Binney, Principal of Oak Bluffs Elementary School, said that as an educator and school administrator, one of the most important parts of his job is finding and retaining good teachers. There are fewer applications received per position. It has become increasingly difficult to retain teachers because they cannot find affordable year-round housing. A teacher's salary range is from the low 30s to the mid 60s. He urged the MVC to approve this project.

Maia Gaillard, from the Martha's Vineyard Hospital, echoed the sentiments. The hospital is facing the challenge of attracting a new generation of health care workers. She heard that the Island supports affordable housing but there seemed to be obstacles in the way of achieving it.

John Abrams spoke in support of this project. Bridge Housing Corp. should be congratulated. This is the first family housing project of any scale where all the housing is affordable. There have been projects that have changed the attitude from fear to cautious embrace. No project is perfect. He had two suggestions; firstly, he urged Bridge Housing Corp. to consider long term issues like maintenance and management, not just getting it built. Secondly, that everyone that supported affordable housing get behind Bridge Housing Corp. and help them make it a success.

Kenneth Bilzerian asked what the down payment on a home was. Brad Austin said 5%. For an individual at the area median income (AMI) of 60%, the down payment would be \$4,300., with an AMI of 140%, \$14,500. Appreciation is pegged to median income and cost of living.

Linda Dewitt asked what the longevity of the houses was. Brad Austin said that like any house, 100 or 150 years.

Tristan Israel asked about long term maintenance plans. Brad Austin answered that the model was based on everyone paying \$150 per month for ongoing maintenance. The exterior of the buildings will be maintained by the association.

Tristan Israel asked about the rate of development. Brad Austin said they expected to break ground at the start of summer, and start construction in the fall. The project would be done in one year.

Katherine Newman asked what the privacy screening would be like. Brad Austin said that the original plan had 18 trees on the east side. There is a 6' fence and the augmentation of the vegetative screening would provide a dense visual screening. Currently, you cannot see the first

house on Deer Hill Road so he assumed that it would also be impossible to see the back except for perhaps a few rooflines. The second house back on Deer Hill Road is on a ridge so it has a view. He distributed photos of white pines. Linda Sibley said white pines are good and bushy when young, but in 40 or 50 years they would not be good screening because as they grow taller, they get open near the ground. Linda Sibley asked if some other trees could be mixed in that would stay bushy near the ground. Carlos Montoya said that white pine will stay bushy close to the ground, if properly spaced, unlike pitch pines. He recommended 10-12' trees, which would grow to 12'-16' in height.

Andrew Woodruff asked whether there would be any clearing and if there was a possibility of denser planting along State Road. Brad Austin said there would be no clearing and they are intending to plant more shrubbery close to State Road..

Mrs. Bilzerian noted that now there are two houses on the western side and only 5 on the eastern side. Brad Austin noted that only a few had moved and they were screened. The west side was longer.

Tom Wallace, of Wallace and Company, assisted in the contract between Bridge Housing Corp. and the Norton family. Clustering seems like the model to go with including purchasing open space with the Land Bank. This is a good model for addressing 40B needs. It is a project for the community and by the community. The economic model has to be one that meets state formats, so the flexibility of being all things to all people is difficult. It benefits the people in need in the community, the fact that it is a not for-profit project is very important.

Megan Ottens-Sargent asked the range of prices of typical houses. Brad Austin said that the highest price for a two-bedroom home with an AMI of 140% was \$286,660. For a one-bedroom home with an AMI of 60%, \$86,850.

Andrew Woodruff asked what would happen if a couple in a one-bedroom house had children. Would the association maintain two people per bedroom? Brad Austin said if a larger unit was available, the couple would have the opportunity to purchase it; but if not, they might have to move.

Janet Woodcock asked how much flexibility can an association have concerning parking spaces and more houses. Tristan Israel answered that they would have to come back to the MVC. Brad Austin said there would be a restriction on the dwelling size in the deed because of restrictions for changes to the septic, etc.

5.6 Testimony from Public Officials

Brad Austin said that the Tisbury School had had 359 students. There are now 320 students. The principal said they could add 54 students without adding staff and he needs more students at lower levels to get full state grants. There are 30 bedrooms allocated, two per bedroom, so he estimated there would be 45 children, or 31 additional students.

John Best asked whether people would be obliged to move out of a three-bedroom home if their children move out. Brad Austin said no.

Jennifer Rand said that there have been many letters of support.

5.7 Additional Public Testimony

Rev. Robert Edmonds, of St. Andrew's Church in Edgartown, read a letter of support for the project.

Sarah Kuh, Director of the Vineyard Healthcare Access Program, said she deals with people who are not able to get adequate health care because they are paying so much for housing. People with chronic health problems are not filling prescriptions they need.

Kenneth Bilzerian said that the project is overwhelming to the people who live around it. Anyone who has bought property and taken care of it, was never expecting anything like this. It is not Martha's Vineyard to him. He can't accept it as it is.

Ellen Kaplan stated that the topic of traffic has come up repeatedly. She was concerned about the number of cars using one road. There had been 32 x 1.5 cars, now there are 30 x 2 cars.

Eric Peterson, chairman of The Vineyard Open Land Foundation spoke in favor of the proposal. They worked on conserving thousands of acres of open land and have been involved in creating resident home sites. He summarized a letter he submitted. He stated that if someone tried to create 30 affordable houses through a traditional 40B project, they would have to create 120 houses across the Island. This proposal will create more open space on this parcel than any other kind of proposal. He spoke in favor of the proposal.

Martin Tomassian summed up his objections to the project.

- He asked that the MVC not try to solve affordable housing in one fell swoop.
- If the project leaves the MVC and is turned down by the ZBA, the project will be appealed to the Housing Review Board in Boston. The Board would probably not reverse a denial for reasons of health and safety. Concerning safety, the traffic problems have not been solved. The two affordable housing advocates say this would not address the people that have the greatest need. Regarding health, the issue is septage.
- To have a 40B, an organization needs to be a non-profit corporation and it needs control of the property by owning it or by having a purchase and sale agreement. He assumed they had this. They also need a letter of eligibility. He said this letter doesn't exist yet, and this is not a 40B plan since there is no letter of eligibility from a State or federal agency to qualify them as a 40B applicant.

Carol Collins asked what would happen if a couple had a one-bedroom limited equity and they have a child, several years later. How can they then afford to buy a larger unit?

Deborah Edmunds, of Edgartown, said we need to not place too heavy a judgment on who can afford to buy or not. For example, if someone is renting, a parent could pay the down payment. Also People will be accumulating equity in that they will have paid down their mortgage.

Linda DeWitt asked Philippe Jordi to respond to Julianne VanBelle's comment that no affordable housing project was created without subsidy. Philippe Jordi said that this is now mixed income so there are internal subsidies with the higher income units underwriting the lower income ones. He feels that Bridge Housing Corp. is 100% meeting the need for affordable housing on the Island..

John Abrams said that the Sepiessa project had no subsidy. Here, there is a substantial subsidy in that there is no developer profit.

5.8 Commissioners' Questions.

Megan Ottens-Sargent asked how many one bedroom homes were planned. Brad Austin said eight homes. He also repeated that they would be modular houses and that with houses would be Energy Star efficient.

Jim Athearn asked about the town receiving taxes. Brad Austin said It would, with some tempering based on affordability.

Megan Ottens-Sargent asked whether the fact that there were one bedroom units was because they were less expensive or based on needs. Brad Austin said it was based on the needs assessment, extrapolated for Tisbury.

Tristan Israel had concerns about traffic. Brad Austin said there was a potential for 60 resident vehicles with some extra space for campers, boats, etc. There would be a control on the number of parking spaces. This would limit home businesses. They hope there might be a small daycare for children in the neighborhood.

Linda Sibley asked for a written outline of the bylaws and a landscaping plan. This should ideally be submitted several days before the written record closes so the public can comment. Christina Brown asked to receive them within one week, and to have an additional week for public review. Martin Tomassian requested two weeks to review after the information is submitted. Christina Brown agreed.

Jim Athearn asked for clarification on the restrictions on the number of cars. Brad Austin said the number of cars would be restricted to the number of parking spaces. One family could use the space of another family that has only one car.

Tristan Israel asked whether 15 guest parking spaces were adequate. Brad Austin said their experienced site designer considers this adequate.

Megan Ottens-Sargent asked about the letter of eligibility. Brad Austin said that this is a DRI application, not a 40B application. The letter will be obtained after the MVC approval.

Andrew Woodruff asked whether the Bridge Housing Corp. would work with neighbors and maybe pay for base line data on water testing. Brad Austin said he would have to check on the liability if this was to be done.

Andrew Woodruff was concerned about the proliferation of bus depots, and asked if they would be paved. The system on the Island is that buses stop on the road. Should the system be changed here involving buses having to pull out and then have to reenter traffic?

Kristin Kingsbury Hensaw, who lives across the street, asked how the density of this project compared with other successful projects such as Sepiessa. John Best said Island Elderly Housing project is much denser.

Brad Austin gave his concluding remarks.

- On traffic, providing more parking spaces will not lead to more trips. The single outlet issue is being overblown. Mayflower Lane is similar and Pond View Drive has many more houses with only one entrance. Brad Austin said he would improve sightlines for abutters on both sides.

- The impervious surface concerns were addressed by additional acreage. Now it is less than 10%.
- Bridge Housing Corp. will provide the economic proforma data and would gladly limit the number of affordable housing units.
- He addressed Julianne VanBelle's concerns by acknowledging that FannyMay and HUD may not be providing adequate mortgages, but this is a general issue that can't be changed on one project. Also, some people may not be able to get a mortgage but others can and might be paying 50% of their income on housing, so this will help them.
- The nitrogen loading would be six pounds per day. No matter how much water is involved, it would not be a huge amount spread over 14 acres. The nitrogen is not bacteria or a harmful agent. The water going out of the septic tank is not sewage, it is treated effluent.
- With respect to long-term affordability; if circumstances change after five years and a family has to move out, at least they have had five years to participate in the community.
- The neighbors have viable concerns and Bridge Housing Inc. has tried to address them. 40B was created to address the difficulty of creating affordable housing and this project seeks to do this in a responsible way.
- He expects to provide an outline of the bylaws and a landscaping plan in one week.

Christina Brown closed the Public Hearing 10:55 p.m., while keeping the written record open until May 1 at 4:30 pm.

Tristan Israel moved and it was duly seconded to extend the meeting to 11:15 p.m. Voice vote. Ayes: 16 Nays: 0. Abstentions: 0. The motion carried.

6. ISLAND COVE MINI-GOLF INC., (DRI No. 345M-3) - CONCURRENCE VOTE

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff.

Jane Greene moved and it was duly seconded that the Commission not concur with the referral as it not a significant enough project to have a regional impact.

Roll call vote. In favor: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff. Opposed: 0. Abstentions: 0.

Tristan Israel moved and it was duly seconded to modify the written decision on this DRI to allow for the proposed climbing wall. Voice Vote: In favor: 16. Opposed: 0. Abstentions: 0.

7. ISLANDER BUILDING, (DRI No. 444-2) - RE-VOTE FROM APRIL 3, 2003

Commissioners present: C. Brown, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, A. Schweikert, D. Sederholm, L. Sibley, R. Toole.

Alan Schweikert assumed the Chair as Jim Athearn had recused himself.

Jane Greene moved and it was duly seconded to approve the Islander Building (DRI No. 444-2) with the offers and conditions as described on the sheet previously given to the Commissions.

Roll call vote. In favor: C. Brown, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, A. Schweikert, D. Sederholm, L. Sibley, R. Toole. Opposed: T. Israel. Abstention: Megan Ottens-Sargent. The motion carried.

7. OTHER BUSINESS

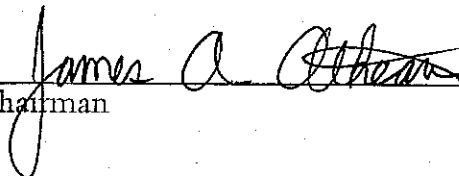
Richard Toole announced that there would be a Forum on the proposed fast ferry from New Bedford next Sunday from 2 to 5 p.m. at the Catherine Cornell Theatre.

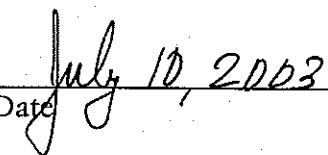
Paul Strauss announced the results of the election in Oak Bluffs. The two elected selectmen, Roger Wey and Greg Coogan, both supported the position of having Oak Bluffs stay in the MVC.

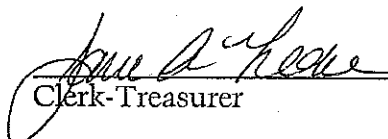
Linda Sibley moved and It was duly seconded to extend the meeting to 11:25 p.m. Voice vote: In favor: 12. Opposed: 0. Abstentions: 0.

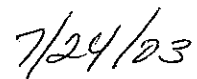
Jane Greene moved and it was duly seconded that the Commission go into Executive Session for the purpose of discussing possible settlement of ongoing litigation and not return to open session, and to invite the Executive Director and Senior Planner to attend. Roll call vote. In favor: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, T. Israel, D. Moore, K. Newman, M. Ottens-Sargent, R. Schwartz, A. Schweikert, D. Sederholm, P. Strauss, R. Toole, A. Woodruff. Opposed: L. Sibley. Abstentions: None.

The Meeting adjourned at 11:25 p.m.


Chairman


Date


Clerk-Treasurer


Date