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Minutes of the Commission Meeting Held on April 4, 2019 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: (P= Present; A= Appointed; E= Elected)

P Gail Barmakian (A-Oak Bluffs)	- Michael Kim (A-Governor; non-voting)
P Trip Barnes (E-Tisbury)	P Joan Malkin (A-Chilmark)
- Leon Brathwaite (A-County)	- Katherine Newman (A-Aquinnah)
P Christina Brown (E-Edgartown)	P Ben Robinson (A-Tisbury)
- Peter Connell (A-Governor; non-voting)	P Doug Sederholm (E-West Tisbury)
P Robert Doyle (E-Chilmark)	P Linda Sibley (E-West Tisbury)
P Josh Goldstein (E-Tisbury)	P Ernie Thomas (A-West Tisbury)
- Fred Hancock (E-Oak Bluffs)	P Richard Toole (E-Oak Bluffs)
P James Joyce (A-Edgartown)	- James Vercruysse (E-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Sheri Caseau (Water Resources Planner), Christine Flynn (Economic Development and Affordable Housing Planner), Jo-Ann Taylor (Coastal Planner, DCPC Coordinator), Dan Doyle (Regional Planner).

Chairman Doug Sederholm called the meeting to order at 7:00 p.m.

1. MEETING HOUSE PLACE SUBDIVISION-EDGARTOWN DRI 682 CONTINUED PUBLIC HEARING

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

Richard Toole, Public Hearing Officer opened the public hearing and continued it until April 25, 2019 without taking any testimony.

There was a discussion about the hearing being continued.

- **James Joyce** asked why the hearing has been continued several times.
- **Adam Turner** said the peer review process for nitrogen took time and that additional information regarding traffic issues and open space issues as also required. If the applicant does not meet the next public hearing we can re-notice it.
- **Josh Goldstein** said is April 25, 2019 a sensible date or should the MVC delay.
- **Christina Brown** said what about the people who might want to attend, can the MVC re-notice the hearing.
- **Adam Turner** said the MVC can re-publicize.
- **Linda Sibley** said she would like all the material prepared before the hearing.
- **Doug Sederholm** said Leonard Jason also used to want a complete application and perhaps the Commission should check with the applicant to see what they have ready.
- **Paul Foley** said the applicant is ready but they are waiting for the peer review for the nitrogen. Another idea the applicant had was putting the PRB in front of the sewage plant.

2. EXECUTIVE DIRECTOR'S REPORT

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

Adam Turner presented the following.

- You should have received the MVC staff Statistical Profile. It has gone out to the Town Leaders, Boards, Commissions and schools. It is also on the MVC web site. This was three years in the making. It is in a format where it can be updated every two years. We have 250 copies and it was published with the money we received from the Eddy Grant.
 - **Linda Sibley** said the next time it is published we can show on the cover the new erosion.
 - **James Joyce** asked who Alex Elvin is.
 - **Adam Turner** said he consulted for us and he was a former reporter for the Gazette. We asked him to help and he compiled it and did a great job.
 - **Doug Sederholm** said the project manager was Lucy Morrison and the maps were done by Chris Seidel and they also did a great job.
 - **Adam Turner** said the data is the MVC data.
 - **Christina Brown** said there are also reading copies available at the MVC for review.
- We are applying for an Environmental Grant for Island Elderly Housing to put a SanTOE unit in. Aidylberg on Wing Road will be five units and we will take them off the current ten units. We are taking nitrogen out of the watershed and this is the first time we have done that.
 - **Doug Sederholm** said how does it work and where does it stand with DEP.
 - **Adam Turner** said there is an aeration chamber and wood chips and it is testing roughly like a sewer. It will be taking out 50 kg per dwelling unit. It is a pilot with DEP.
 - **Christina Brown** said how many units in general can the SanTOE system handle.
 - **Adam Turner** said 250 units if you have a need.
- At the April 25, 2019 MVC Meeting we want to do a preservation and archaeological program.
 - **Doug Sederholm** said that is the Meeting House Way Subdivision meeting so it would be tough to do it on that day.

Linda Sibley said since she had to rehabilitate herself on a couple of meetings it works well to watch the meeting on MVTv.

3. TOWN OF AQUINNAH DCPC-CONSIDERATION OF BOUNDARY AMENDMENT NOMINATION

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

For the Applicant: Peter Temple

3.1 Staff Report

Jo-Ann Taylor presented the following.

- The Planning Board is asking to remove an area from the Town of Aquinnah DCPC in order to remove the Special Permit requirement for solar at the old landfill. This would allow the Town to seek Green Community status.
- This is a two-step process and should be treated as a new nomination as a boundary amendment is treated the same as a new nomination.
- The MVC is to consider the nomination and an affirmative vote commits the MVC to a public hearing vote within 60 days.

- The Planning Board has also asked the MVC to hear amendments to the regulations.
- If the MVC votes to accept the nomination for consideration, all the amendments will be heard together in May 2019 and an affirmative vote should include reasons for acceptance (and a negative vote would include reasons for denial).
- The boundary description is: All lands and waters within the cooperative bounds of the Town of Aquinnah except; the Indian Common Lands (generally known as the Cranberry Bogs, the Clay Cliffs and Herring Creek) and Settlement Lands and the designated area for large scale ground mounted solar photovoltaic installations, Town of Aquinnah Map 8, Lot 31.
- The boundary should be looked at as the logical planning area which should be considered in adopting a coordinated system of regulations to protect the critical resource or critical area and that is what the amendment addresses.
- The Town is seeking to remove Map 8 Lot 31 (Local Drop Off) from the Town Wide DCPC to allow as of right large scale ground mounted solar photovoltaic installations there so the Town can qualify as a Green Community per the State Green Community Division Guidelines.
- Per the current local zoning bylaws all ground mounted solar panels within Aquinnah DCPC's require a Special Permit.
- In removing Map 8 Lot 31 from the Town wide DCPC the development of solar panels will be subject to an expedited permitting process but still subject to siting and design guidelines set by the Town of Aquinnah.
- The MVC has been asked to accept the proposed DCPC boundary nomination for consideration. It is not the vote to designate the boundary. The vote to accept the nomination for consideration commits the MVC to hearing and making a decision on the boundary amendment designation.

3.2 Applicants' Presentation

Peter Temple presented the following.

- It is very straight forward. The Aquinnah Selectmen wanted to be a very green community for a while.
- We cannot site the photovoltaic installation with our DCPC and we have very restrictive cutting and clearing bylaws.
- The Town has designated to put the installation at the landfill and there is room for additional arrays at the landfill.
- This location would meet the requirements.

3.3 Commissioners' Discussion

Linda Sibley said as she understands it the State won't grant Green Community status as the installation would require a Special Permit. **Peter Temple** said that is correct. It can be given by Site Review but not by Special Permit. **Linda Sibley** said then this is technically required by the State.

Joan Malkin said this is not suitable in any way to a residential development.

James Joyce said Aquinnah is only doing solar there. **Adam Turner** said that is correct. There is wetland there so this is probably the best use at this location.

Doug Sederholm said why is it important to get Green Community status. **Peter Temple** said the Town is then eligible for certain State grants and other programs to offer greater energy efficiency in the town.

Joan Malkin said West Tisbury and Tisbury already have that status and it has saved money.

Linda Sibley moved and it was duly seconded to accept the nomination for consideration finding that the Town has made a good case for hearing how the boundary amendment may result in a boundary

more in keeping with the District Qualification that it be the logical planning area for regulation. Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas R Toole. Opposed: none. Abstentions: none. The motion passed.

4. MVCS CAMPUS PLAN-OAK BLUFFS DRI 223-M3 DELIBERTION AND DECISION

Robert Doyle recused himself.

Linda Sibley, Gail Barmakian and Richard Toole have rehabilitated themselves and Adam Turner has the signed affidavits. James Joyce and Josh Goldstein have also rehabilitated themselves.

Eligible Commissioners: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

4.1 Land Use Planning Committee Report

Doug Sederholm said LUPC met Post Public Hearing Review.

Richard Toole said LUPC recommends to the Full Commission that the MVC approve the proposal as revised with the offers as clarified.

Joan Malkin said LUPC talked about what might be considered somewhat open issues; Construction Management, Parking and Landscaping.

Richard Toole said further negotiations need to take place among the MVC and the abutters and would probably have to come back to LUPC.

4.2 Discussion of Offers

Landscaping

Gail Barmakian asked for the Landscape Plan to be clarified and the effects on deforestation.

Richard Toole said he believes the plan will come back to LUPC.

Joan Malkin said the final Landscape Plan will come back to LUPC.

Gail Barmakian said she is trying to protect her Town and to expand the planting and also remove nitrogen it will take millions of dollars and this is a non-profit that doesn't contribute to the tax base.

Exterior Lighting

There was a discussion on 2.2 Pathway Lighting.

- **Gail Barmakian** said there may be a possible condition for Pathway Lighting as LUPC asked for clarification.
- **Joan Malkin** said she would like the applicant to come back for Pathway Lighting.

Affordable Housing

There was a discussion about the monetary contribution.

- **Doug Sederholm** asked if the contribution was calculated on the total square footage.
- **Gail Barmakian** said she thought the contribution was \$50,000.
- **Paul Foley** said the assessment was based on the additional square footage.
- **Gail Barmakian** said she requests that the contribution be increased as a letter was received from the Town Administrator that it should be increased and feels it should be since it was asked for by the Town.
- **Christina Brown** said the policy is being revised but the contribution comes from the current policy.

- **Doug Sederholm** said this can be discussed with the conditions review.

Wastewater

Doug Sederholm, Chairman read the applicants offer for Wastewater and the Commissioners did not have any further discussion.

Energy/Sustainability

Doug Sederholm, Chairman read the applicants offer for Energy/Sustainability and the Commissioners did not have any further discussion.

Traffic

There was a discussion about offer 6.3 “MVCS will make their best effort to ensure that the following improvements off their leasehold are implemented with the Village Road Association: ...”.

- **Gail Barmakian** said the biggest issue she sees is the road, the width and the management of the road. What if they are without a Road Association? Their effort to establish and maintain a road association for Village Road to address issues that exist and arise on the road jointly with their neighbors means nothing. What happens if they don't do anything? The serious parts are the width of the road, the history of traffic and the potential increase of the traffic. If you allow construction there is nothing that can be fixed.
- **Joan Malkin** said there is another document to look at from Mike Mauro; “Prior to issuance of a certificate of occupancy for each new building, the applicant shall provide for review by LUPC the status of the collaborative efforts concerning improvements to Village Road”. She suggests it should say to determine whether sufficient improvement has occurred to warrant moving forward in a safe manner.
- **Gail Barmakian** said is that after construction is done and before occupancy.
- **Joan Malkin** said that is before occupancy.
- **Gail Barmakian** said that is her point that it is after construction is done because what should be happening could affect the placement of the buildings.
- **Linda Sibley** said it basically says they have to satisfy the conditions of the roads before they can occupy their buildings. It behooves them to plan it well and she feels they are capable to do that.
- **Josh Goldstein** said if the Fire Chief isn't happy with the road he doesn't have to sign off on it.
- **Ben Robinson** said that Gail Barmakian had mentioned deficiencies in the road and asked if that just concerns the width.
- **Gail Barmakian** said with regards to emergency vehicles.
- **Doug Sederholm** said we don't have anything in writing from the Fire or Police Departments.
- **Joan Malkin** said there is a very modest increase of traffic and the only other issue they are creating is another entrance closer to Island Elderly Housing. So she thinks what we are asking legitimizes that.
- **Doug Sederholm** said three organizations use his road and it is not particularly fair to have one of those organizations to bear the expense to improve the conditions of the road.

There was a discussion about offer 6.3.5; “Consider and develop a plan for future widening of Village Road, if widening is deemed necessary in the future by public safety or regulatory authorities;”.

- **Linda Sibley** said it is obvious that it is the Police and Fire Departments but who are the other regulatory authorities.
- **Christina Brown** said the Planning Board.
- **Ryan Bushey** said they did not want to leave anyone out so they used that language.

- **Christina Brown** said for clarity could we see a map to show what they will improve since it is stated that they will improve on and off their leasehold and what is off their leasehold. Is the road their leasehold?
- **Joan Malkin** said that is shown on their map as well. A portion of the road is in their leasehold and most is not.
- **Doug Sederholm** said they are committing to improve only their portion of the road that is on their leasehold.
- **Ben Robinson** showed the areas on the map.
- **Ryan Bushey** said we can only commit to what we can do on our leasehold.
- **Linda Sibley** said it would be nice if someone on staff could read the Colonial Law of what a road association is and the creation.
- **Doug Sederholm** said he has read it many times and one of the owners has to go to the town and post a notice to hold a meeting.

Construction Management

Doug Sederholm, Chairman read the applicants offer for Construction Management and the Commissioners did not have any further discussion.

Substantial Alterations

Doug Sederholm, Chairman read the applicants offer for Substantial Alterations and the Commissioners did not have any further discussion.

4.3 Discussion of Conditions

Landscaping

Joan Malkin moved and it was duly seconded that the final Landscape Plan must designate the bike parking and the final location of the solar canopies and the plantings nearby. Voice vote. In favor: 10. Opposed: 0. Abstentions: 1. The motion passed.

Exterior Lighting

Joan Malkin moved and it was duly seconded that the applicant will return to the Land Use Planning Committee for review and approval for the plan that designates exterior lighting including pathway lighting.

- **Linda Sibley** said do we want to add no higher than 48 inches.
- **Joan Malkin** said it will go to LUPC.

Joan Malkin amended her motion and it was duly seconded to include pathway lighting no greater than 48 inches.

- **Christina Brown** said do we want to fold into our decision downward shielded lighting.
- **Joan Malkin** said it already exists and we will fold that into our approval.

Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

Affordable Housing

There was a discussion about the affordable housing contribution.

- **Doug Sederholm** said the offer was for a \$13,408 contribution and there were comments made that perhaps that should be larger and contributed to the Oak Bluffs Affordable Housing Committee.
- **Linda Sibley** said she understands Oak Bluffs has an issue with all of these non-profits and the burden placed on the Town. But with affordable housing it is a burden to the Island as a whole. We cannot have higher requirements for non-profits that are begging for money from their donators and the public at large. The monetary contribution is not from a commercial venture which will make a profit. She is satisfied with the applicant's offer.

- **Doug Sederholm** said in order to stay afloat and provide services to the Island every year they have to raise funds.
- **Gail Barmakian** said Oak Bluffs is burdened with non-profits and there is no money to the tax base and no offer to such so the taxpayer pays a portion for affordable housing. She would not ask to increase to \$50,000.

Gail Barmakian moved and it was duly seconded to contribute the \$13,408 monetary contribution to the Oak Bluffs Municipal Affordable Housing Trust Fund to be used for the creation of affordable housing to be further clarified by Appendix C.

- **Christine Flynn** said the Oak Bluffs Municipal Affordable Housing Trust Fund is comprised of Selectmen and the Oak Bluffs Affordable Housing Committee and they can accept monetary mitigation and the MVC can state that it has to go to affordable housing.
- **Richard Toole** said Oak Bluffs has issues that we are burdened with a lot of non-profits but to penalize MVCS is ridiculous. It also goes back to the MV Regional High School. Every Town on the Island has to help those organizations to survive.
- **Joan Malkin** said she would like to know where the money is spent.
- **James Joyce** said is that now our new housing policy.
- **Joan Malkin** said no, the current version of the policy does not state it goes to the Town the project is for but it is up to the discretion of the MVC.

Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

Josh Goldstein moved and it was duly seconded that the MVC waive the applicant's affordable housing contribution.

- **Josh Goldstein** said MVCS works so hard for the Island and every year Trip Barnes help to raise money for them. Why are we robbing Peter to pay Paul.
- **Trip Barnes** agreed with Josh Goldstein.
- **Linda Sibley** said as a point of order we would have to rescind the prior motion.
- **Doug Sederholm** said we could rescind it.
- **Christine Flynn** said the MVC has had a past precedent to waive the affordable housing mitigation in the past as they provide services for those meeting 80% or less of the median income.

Voice vote. In favor: 9. Opposed: 1. Abstentions: 1. The motion passed.

Wastewater

Joan Malkin asked Sheri Caseau if she would like to see periodic reporting so we can determine the efficacy of their arrangements and what are we monitoring. Would they be annual results?

Sheri Caseau said she would like to see annual reporting for any of their testing and it should go to the Board of Health and the MVC. We are monitoring their IA system or whatever system they choose and any of their testing.

Joan Malkin moved and it was duly seconded that any of their testing and nitrogen reports are to be provided to the MVC, the Board of Health and the Oak Bluffs Wastewater Commission. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

Energy/Sustainability

Ben Robinson moved and it was duly seconded if the applicant does not achieve Net Zero in five years they should come back to the Land Use Planning Committee and report why it has not been met and what further work they can do.

- **Josh Goldstein** said how do we establish that.
- **Ben Robinson** said it is pretty simple. They are an all-electric campus so they will know what their loads are.

- **Doug Sederholm** said they could present their records from NStar.
- **Ben Robinson** said they made a passionate statement about this.
- **Linda Sibley** said would you say they have to come back to the MVC to change their condition of the project.
- **Ben Robinson** said LUPC could decide that and it could be a modification of the condition.
- **Linda Sibley** said it seems to her that if the applicant doesn't make the goal they have modified it.
- **Joan Malkin** said they have stated an intent.
- **Doug Sederholm** said they would not be modifying it, it is a feel good that we are going to try. That is all they are doing. So we are saying they have to come back in five years and tell if they have done it and if not why and what do they need to do to get there.

Voice vote. In favor: 10. Opposed; 0. Abstentions: 1. The motion passed.

Traffic

Joan Malkin moved and it was duly seconded that prior to the issuance of the Certificate of Occupancy for each new building the applicant should provide materials for review to the Land Use Planning Committee that describe the status of the collaborative efforts to the improvement of Village Road and shall determine whether sufficient improvement has occurred to warrant occupancy having regard to safe transportation and traffic conditions.

- **Joan Malkin** said before occupancy they should report back to us the status of those efforts and LUPC should be able to determine if they have made enough progress on clearing the sides of the road and putting up signs not only on their leasehold portion so traffic can safely travel on that way.
- **Doug Sederholm** said they are going to have to do that multiple times for each building.
- **Linda Sibley** said if they do them all before the first building we can say they are done.
- **Christina Brown** said do you mean to include that they have made significant collaborative improvement also with their neighbors. She suggested adding to set up a road association.
- **Joan Malkin** said that is part of their obligation.
- **Linda Sibley** said if the others don't cooperate they can't make them.
- **Adam Turner** said the road is in poor condition. There is no speed limit and there is no volume with traffic. The curves are blind. It is tricky with buses barreling out there and a fire truck, vehicles and older people in the middle of the road with reaction time. They should be putting the stripping on, posting the speed limit and improving the road condition. It is something they need to do and if they can't get it done they should come back to us.

Joan Malkin amended her motion and it was duly seconded that prior to the issuance of the Certificate of Occupancy for each new building the applicant should provide for review collaborative efforts referred to as the applicant's offer 6.2 concerning improvements to Village Road and determine if sufficient improvement has taken place. Joan Malkin corrected her amended motion that it is 6.3 not 6.2.

- **Ernie Thomas** said he is confused about what she is asking for. In 6.2 they have provided conditions of what they will do. Are you just trying to enforce that? For 6.3 we had a discussion about that and they don't have jurisdiction to work on the entire road.
- **Linda Sibley** said she is asking to report on progress and cooperation of other users of the road to achieve that goal.
- **Ernie Thomas** said she is also asking to hold the building occupancy until they improve the road.
- **Linda Sibley** said no, until they report on the progress.
- **Christina Brown** said LUPC has to make a judgement if significant improvement has been achieved.

- **Doug Sederholm** said that is entirely unfair. That is not realistic when there are other organizations involved.
- **Adam Turner** said if they come back and report and if is not a good report then you have to make a decision.
- **Linda Sibley** said it is clear the road needs to be improved but they are not coming before us for a substantial increase in the use of the road. I don't think it can be punitive. Joan Malkin is asking them to come back and report. But if the neighbors refuse to create a road association we won't stop them from opening the building.
- **Doug Sederholm** said the motion does not include the opportunity to prevent them from opening the road.

Joan Malkin amended her motion and it was duly seconded to enable The Land Use Planning Committee to determine whether sufficient improvement has occurred so the Land Use Planning Committee is of the view that the road is safe for occupancy of the premises. If the applicant has despite its best good faith efforts been unable to achieve the improvement with the cooperation of the other parties the Land Use Planning Committee may still authorize the project to proceed.

- **Doug Sederholm** said they control offer 6.2 but not offer 6.3. We are not talking about 6.2 yet. Their leasehold goes down the center line of Village Road.
- **Christina Brown** said so they are taking half of Village Road towards the YMCA.

Joan Malkin reiterated her amended motion: Prior to the issuance of the Certificate of Occupancy for each new building the applicant shall provide for review by the Land Use Planning Committee the status of the collaborative efforts referred to as the applicant's offer 6.3 concerning the improvements to Village Road so that the Land Use Planning Committee may determine whether sufficient improvement has occurred so that the Land Use Planning Committee is of the view that the road is sufficiently safe for occupancy of the premises. If the applicant has despite its best good faith efforts been unable to achieve improvement with cooperation of the other parties the Land Use Planning Committee may still authorize the project to proceed.

- **James Joyce** said there is no question that they are building everything that they are going to do there and it will deteriorate the road. They need to bring the road back and somewhere along the line they have to be responsible to at least bring it back to the current condition.
- **Joan Malkin** said you could assume that is the function of the road association and they would have to come to agreement on that matter.
- **Doug Sederholm** said it might be more efficient if that is addressed with the Construction Management Plan so it is laid on their shoulders.

Voice vote. In favor: 9. Opposed: 2. Abstentions: 0. The motion passed.

Joan Malkin said that the applicant's offer 6.2 is very exhaustive of their offers. However, as she reads it there is not a date by which they need to make the leasehold improvement on their leasehold.

Joan Malkin moved and it was duly seconded that offer 6.2 must be achieved before a final Certificate of Occupancy.

- **Paul Foley** said 2d of the Staff Possible Conditions for Consideration says that; "The Applicant shall submit to LUPC for review and approval their plan to implement the offers in section 6.2 (Traffic improvements on their leasehold) before a Certificate of Occupancy is issued."
- **Joan Malkin** is happy to rely on the Staff's recommendation of 2d.

Joan Malkin amended her motion and it was duly seconded to accept Possible Conditions for Consideration 2d.

- **Doug Sederholm** said should be review and accept Possible Conditions for Consideration 2a, 2b, 2c and 2d.

Joan Malkin amended her motion and it was duly seconded to accept Possible Conditions for Consideration 2a, 2b, 2c and 2d.

- **Bill Veno** said 2d is applicable to the applicant's offer 6.3.

Voice vote. In favor: 11. Opposed : 0. Abstentions: 0. The motion passed.

Ben Robinson said in offer 6.3 some of those improvements off the leasehold have to happen on the leasehold as well.

Doug Sederholm said to the extent you will do the things in offer 6.3 off your leasehold you will do the same on your leasehold.

Ryan Bushey confirmed that is correct.

Construction Management

Joan Malkin said staff had suggested "1a. The Applicant has offered to return to LUPC for review and approval of a detailed construction management plan to minimize negative impacts and increase efficiency. The Construction Management Plan shall include at least the following:

- i. A detailed description of the phases for building and construction;
- ii. Identify locations where they will stage construction materials;
- iii. Identify where construction crews will park their personal vehicles;
- iv. Identify where clients and employees will park during construction?
- v. Alternatives if construction takes longer than expected."

Joan Malkin moved and it was duly seconded to adopt staff recommended condition 1a with the addition to repair and return of the roads to at least their pre-construction condition including the shoulders. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.

MVC Monitoring

Paul Foley said staff suggested the following;

"As part of the MVC's regular technical assistance, for at least the next five years the MVC has committed to observe any issues and increase in volume on Village Road. MVC Staff will do the following:

- Traffic Counters on Village Road twice a year for one week for five years;
- TMC and Queue Analysis twice a year for one week for five years;
- Review MassDOT Crash Data;
- Review anecdotal evidence of issues on and with Village Road and tributaries;
- Commission staff will meet with Village Road Association once a year to review data and findings;"

Doug Sederholm said we can't insist to do this since it is a private road.

Linda Sibley said the MVC has the right to make sure it is in compliance.

Linda Sibley moved and it was duly seconded that the MVC monitor the road as stated in the MVC Staff Possible Conditions for Consideration, MVC Monitoring. Voice vote. In favor: 11. Opposed: 0. Abstentions:0 The motion passed.

Joan Malkin said should we make it a condition that the applicant obtain a leasehold before they begin any construction on any property that they do not have a leasehold.

Doug Sederholm said he does not think that we need to bother, it would be viewed as trespassing but it is a good thought.

Josh Goldstein moved and it was duly seconded to approve the project and accept the offers as clarified by the MVC.

4.4 Benefits and Detriments

Summary

The proposed redevelopment and expansion of Martha's Vineyard Community Services campus will be an improvement both in delivering services to Islanders and the working quarters themselves. The expansion will enable the MVCS to more efficiently conduct their mission of services to disadvantaged groups throughout the Island.

- **Linda Sibley** suggested revising the language to "... their mission of services to the people throughout the Island".

Outdated and failing buildings have forced staff and clients to spend significant amounts of time in substandard conditions. The project plan details decommissioning of the oldest buildings and integration of new structures within a campus plan that will accommodate a modest yet notable increase in usage. This Master Plan will also enable MVCS to bring some of their satellite programming into this central location.

Wastewater and Groundwater

Benefits:

- The site is connected to the Oak Bluffs sewer.
- The applicant will utilize alternative enhanced wastewater technology for additional flows until connected to the sewer.
- The site will remain below the site's nitrogen budget.
- Buildings will not flood.

Detriments:

- Total impervious surface will increase due to a 58% increase in total developed square footage and nearly double the current amount of parking, but stormwater is controlled through rain gardens and drywells.
- Nitrogen contribution will increase given the uptick in estimated number of staff, visitors and participants.

Open Space, Natural and Community Habitat

Benefits:

- Total amount of planned open space will increase given the large communal area situated between the three buildings along with the playgrounds for the Early Childhood Center (ECC).
- Proposed plantings include 180 deciduous and evergreen trees and 200 deciduous and evergreen shrubs across the campus.
 - **Christina Brown** said it would be nice to include mostly native plants.
- Landscaping will be fertilizer free once plantings are established.

Detriments:

- Many mature trees and areas will be razed where new buildings and expanded parking are proposed and to clear wide expanses for large deliveries of construction materials adjacent to the building footprint. This area includes 68,000 sf of pitch pine and oak forest where the new ECC building will be constructed and an additional 18,000 sf of landscaped area on the existing campus.
- Total amount of clearing will increase given the 1.9 acre commitment of land provided by the MV Regional High School some of which will be used for expansion.

Night Lighting, Noise

Benefits:

- Improved lighting will be implemented in the name of safety and will comply with “Dark Sky” guidelines.

Detriments:

- Undesirable noise will be limited to construction activity and trash pick-ups.

Traffic and Transportation

Benefits:

- Additional parking throughout the campus is sufficient to accommodate drivers who now must park along Village Road.
- The applicant will engage in a formal Road Association with Island Elderly Housing and the YMCA to introduce a roadway centerline, keep the full width of the roadway clear of debris, eliminate roadside parking and post speed limit signs. Road widening will also be considered.
- The applicant will work with the Roadway Association to improve pavement conditions at MVCS/Village Road intersections.
- Stop signs will be placed at all exits.
- Bike parking will be provided.
- An existing entrance along a curve of Village Road will be eliminated and the site plan anticipates the possibility of an additional entrance across from the YMCA access.
 - **Christina Brown** said are we approving from the plan or has it the additional entrance been eliminated. That needs to be clarified.
 - **Adam Turner** said it has been eliminated.

Detriments:

- There will be increased traffic and curb cuts along Village Road creating safety concerns at select undesirable sightline locations.
- The Early Childhood Center will be located at the rear of the site increasing the likelihood of conflicts around closing time when parents are in jeopardy of an added fee for late pick up of their children. This coincides with a busy time or cars traveling to and from the YMCA.
- Congestion at the intersection of Edgartown-Vineyard Haven Road, Village Road and Sanderson Road will be compounded. This intersection will be the subject of an examination to improve safety separate from this DRI project.
- Additional traffic will be added to a private road that on occasion does not meet the safety standards of the Fire Department.

Linda Sibley said the MVC should not leave the notion and impression that widening the road is a good thing.

Doug Sederholm said the first order as Adam Turner had said is to improve the surface of the road.

Scenic Values

Benefits:

- **Richard Toole** said it will be a better looking campus.

Detriments:

- The expanded parking removes most of the existing vegetative buffer between Village Road and the MVCS parking and the mature pines scattered among the existing childcare center.

Character and Identity

Benefits:

- Architecture will be modernized and improved over the existing and outdated facility design.

- Entryways will better accommodate handicapped clients.
- Building will complement the site's electrical needs.

Detriments:

- The roadway view of the proposed solar structure is not similar to the character of the rural roadway and needs to be buffered.

Impact on Abutters

Benefits:

- Increased capacity of existing services and additional programming will benefit ongoing collaboration between MVRHS and MVCS.
- There will be better connectivity for pedestrians in the form of paths between MVCS and the YMCA.
- Expanded onsite parking should alleviate parking alongside Village Road.

Detriments:

- Construction might be temporarily disruptive to abutters.
 - **Linda Sibley** suggested changing might to shall.
- Island Elderly Hosing will experience increased traffic closer to their confines.
- There is to be increased vehicular use of the northern portion of Village Road which is a private road shared with Woodside Village, but these organizations, and the YMCA are partnering to jointly manage the road.
 - **Linda Sibley** said she did not feel this was appropriate since it is not a public road.
 - **Doug Sederholm** said it should say the impact on Village Road will be minimal.

Low and Moderate Income Housing

Benefits:

- MV Community Services provides vital health and social services to the Island community especially those individuals and families who earn 80% or less than the Area Median Income.

Detriments:

- None.

Impact on Municipal Services and Burden on Taxpayers

Benefits:

- There will be increased access to human services programs such as mental health counseling, childcare, disabilities services and veteran services that are funded by federal, state and local taxes as well as private sources.
- The new campus buildings will meet fire safety standards and building code compliance which will be an improvement. The new campus plan will provide improved access, lighting, overall public safety as well as privacy for MVCS clients.
- Consolidation of services to the new campus will help provide a higher level of services to the public.

Detriments:

- None.

Adam Turner said this is just a finding. We were asked to look at a Pilot Program in lieu of taxes. The project is on MV Regional High School land which is not taxed. We have applied for a grant to look at how this affects towns and non-profits. He has committed to the Town Administrator that the MVC will look at it.

- **Josh Goldstein** said should Oak Bluffs adopt a Pilot program would this project be subject to it.

- **Linda Sibley** said it cannot be retroactive.

Use Efficiently or Unduly Burden Other Facilities

Benefits:

- MVCS services will be more consolidated to on-campus.

Detriments:

- None.

Consistency with/and Ability to Achieve Town, Regional, State Plans and Objectives

Benefits:

- MVCS is consistent with the MVC's Island Plan Social Environment that encourages the promotion of a Healthy Community.
- MVCS helps provide services to Veterans which is consistent with Veterans Administration programs.
- MVCS provides health and social services to the Island community which is consistent with the Massachusetts Department of Public Health initiatives to promote public health.
- On site power generation in the form of solar power will partially offset total increased energy usage.

Detriments:

- None.

Note: The property is in the "Edgartown-Vineyard Haven Road Corridor", Southern Tier Region, an area under study by the Oak Bluffs Planning Board.

Conforms to Zoning

Benefits:

- The proposed expansion is in context and character with its surroundings despite representing an increased development of pre-existing non-conforming educational use in a residential district.

Detriments:

- None.

Conforms to DCPC Regulations

Benefits:

- The proposed development is partially within the Island Roads District and consistent with its provisions.

Detriments:

- None.

Linda Sibley said she finds it awkward how we go through the Benefits and Detriments and in the "old days" we had more constructive discussions about the project. While there are detriments, this is a project that has overwhelming benefits for the Island. It is a good thing.

Roll call vote. In favor: T. Barnes, C. Brown, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole. Opposed: G. Barmakian. Abstentions: none. The motion passed.

5. MINUTES

Robert Doyle rejoined the meeting.

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

Joan Malkin moved and it was duly seconded to approve the minutes of February 21, 2019 with the correction as noted by Josh Goldstein on line 499 to change the word owns to manages. Voice vote. In favor: 11. Opposed: 0. Abstentions: 1. The motion passed.

6. NEW BUSINESS

Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, J. Joyce, J. Malkin, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

Doug Sederholm provided an update on the Tribe's gaming facility and reported on published information. The Tribe received a letter from the Boston law firm that was retained by the Town of Aquinnah asking to show why they have authority to conduct a Class 2 Gaming Facility. The MVC counsel has been in contact with the Tribe to work in cooperation with the Tribe on the regional impact of the gaming facility. We have requested this of the Tribe several times with no response. In light of the letter from the Town of Aquinnah's town counsel, the tribe did not believe they could respond to the MVC inquiries and requests due to the possibility of prejudicing their position with the Town's inquiry. He takes it as a polite way to not respond to the MVC.

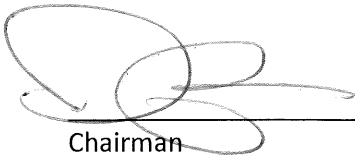
- **Linda Sibley** said if the Town has authority over it then would the MVC as well?.
- **Doug Sederholm** said yes if the Court finds in favor of the Town it would be within the jurisdiction of the MVC. We will continue to try to engage with the Tribe on meaningful information as a possible Development of Regional Impact.

James Joyce noticed and approves of the new green alternative of crimping the handouts rather than using staples.


The meeting was adjourned at 9:05p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on February 21, 2019
- Town of Aquinnah DCPC (District of Critical Planning Concern) Vote to Accept Proposed Boundary Amendment for Consideration, April 4, 2019, Staff Notes, J-Ann Taylor, DCPC Coordinator
- Martha's Vineyard Commission Land Use Planning Committee Notes of the Meeting of March 13, 2019
- DRI 223-M3: MVCS Campus Plan Possible Conditions for Consideration
- Draft Traffic Findings – MVCS Campus Plan (DRI 223-M3)
- Final staff – Benefits and Detriments- MVCS DRI 223-M3 4-4
- DRI 223-M3, Martha's Vineyard Community Services' Offers from South Mountain Company, Dated 3/18/19


Chairman

8/1/19
Date


Clerk-Treasurer

1 AUG 2019
Date