

November 15, 2019

Mr. Doug Sederholm, Chairman  
Martha's Vineyard Commission  
33 New York Avenue  
Oak Bluffs, Massachusetts

**Re: The Meeting House Place Subdivision Re-Design (DRI 682A)**

Chairman Sederholm,

I have reviewed the information found on the MV Commission website, in regard to the above application. Based on that review, I make note of the following:

The proposal appears to meet the requirements of the MV Commission's **Open Space Preservation Policy**. In specific:

- A conservation and development restriction will be placed on 31.1 of the 52.46 acres, or about 58%.<sup>1</sup>
- All open space will be permanently deed restricted from development.
- All open space will be owned by a property owners' association.
- No above ground infrastructure is proposed for the open space area.
- The applicant will not block or restrict the path running from Meshacket Road to Meeting House Way on the easterly side of the property (noted on the site plan as a "grass/dirt trail") for pedestrian, equestrian or non-motorized bicycle use by the public.
- Development envelopes are proposed for each lot, with 'no cut/no touch' areas that will be protected from any development.
- No fences or other non-natural barriers are proposed; no barriers to wildlife migration across the conserved area are proposed or will be permitted.

The proposal appears to meet the requirements of the MV Commission's **Water Quality Management Policy**. Specifically, I note:

- The MV Commissions' Water Quality Management Policy sets a limit of nitrogen loading on the parcel at 76.0 kg / year.<sup>2</sup>
- The Nitrogen calculations provided by the applicant demonstrate that nitrogen loading from all development will result in 114.9 kg / year total nitrogen.

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<sup>1</sup> The Open Space and Natural Resource Suitability Map identifies the locus as a mix of "important" and "notable" area; a reasonable conclusion is a target percentage of open space between 40% and 60%.

<sup>2</sup> DRI 682A: Meeting House Place Subdivision Redesign Nitrogen Calculations, dated 2019-07-02, retrieved from <http://www.mvcommission.org/sites/default/files/docs/DRI 682A Meeting House Place Updated Nitrogen Calculations 2019-07-02.pdf> on November 15, 2019.

- Proposed mitigation strategies include:
  - Increase of side-lot zoning setbacks
  - use of weather station based irrigation controls
  - use of groundwater wells for irrigation
  - restrictions on fertilizer use
- Offsite mitigation of nitrogen loading is permissible.<sup>3</sup>
- Proposed offsite mitigation includes the connection of up to ten additional residential properties in the Edgartown Great Pond Watershed
- Mitigation will result in a reduction of nitrogen loading of about 89 kg / year.
- Net nitrogen loading is calculated at about 25.9 kg / year.

The proposal appears to meet the requirements defined in the **Site Design and Landscape Policy**. Specifically:

- Development Envelopes are proposed, and will be included as covenants for each building lot
- Natural habitat will be permanently preserved on the lot in accordance with NHESP regulations.
- Building layout is proposed in a rough ‘cluster’ formation, in accordance with open space policy and smart-growth design guidelines, with more than half of the lot remaining undeveloped.
- The natural topography (scrub understory) will be largely preserved through the conservation of open space, and through the designation of no-cut / no-touch areas on each separate building lot.
- An archeological study of the property has been completed, and verified by the Massachusetts Historical Commission, with no impacts to the property.
- The parcel is not noted for significant risk from storms or flooding.
- Existing pedestrian paths will be preserved for public use.
- Roads have been designed to properly manage vehicle speeds, and properly manage stormwater runoff.
- Preservation of existing trees will provide natural shading for car parking areas.
- Stormwater runoff from impervious surfaces (roofs, roads, etc.) has been addressed in the application narrative.
- Natural stormwater infiltration will be largely preserved through the use of footprint restrictions, building envelopes and increased lot-line setbacks.
- Clear-cutting of the parcel, or any portion, is not proposed.
- A fifty-foot ‘no cut / no build’ buffer is proposed along Division Road and Swimming Place Path; a two-hundred foot ‘no cut / no build’ buffer will be preserved along Meetinghouse Way.
- No fences will be within fifty feet of a public way.
- No existing stone walls will be disturbed.
- All lighting will be downward facing, and in compliance with "dark sky" restrictions.
- Residential lots will be at least  $\frac{1}{2}$  acre, which conforms to local zoning requirements.
- Guest houses will not be permitted.

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<sup>3</sup> MV Commission Water Quality Management Policy, Section 3.2 (B)

The proposal further appears to meet or exceed requirements of the MV Commission's **Energy Policy**<sup>4</sup>, based on information provided in the Architectural Design Guidelines for Meeting House Place, dated August 12, 2019, which are enabled and enforced through the Declaration of Covenants, Conditions and Restrictions proposed by the applicant.

The proposal appears to exceed the requirements of the MV Commission's **Affordable Housing Policy**<sup>5</sup>, based on details in an updated narrative, provided to the MV Commission by Doug Hoehn, SBH, Inc.<sup>6</sup>, and a letter from Sean Murphy, McCarron, Murphy & Vukota LLP, to Dan Doyle, MV Commission.<sup>7</sup> I note that the offers by the applicant related to affordable and middle-income housing – most notably the donation to the Edgartown Affordable Housing Committee, the perpetual 1% deed transfer fee to be donated to affordable housing, as well as the construction of up to ten 'workforce' or 'senior' units – are significant, and appear to me as having no historic precedent.

The proposal appears to satisfactorily address concerns related to historic preservation, community character, green building, impacts on abutters, building resilience and archaeology. Details are addressed in the aforementioned materials as submitted or revised by the applicant.

No demolition of existing structures is proposed. I do not believe there is any previous DRI filings related to this parcel.

I would like to note that contributions or concessions related to ecology, economy, housing, and sustainability means that the inevitable development of this land will have little to no impact to the Town of Edgartown. In particular, the long-term financial benefits to affordable housing, requirement for use of renewable energy resources, the Energy Star 3.0 rating requirements for construction, and the restrictions on the use of pesticides and fertilizers in the development areas will positively impact the Town.

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Based on my years of service to the Town on the Planning Board, I believe that

- This proposal will result in long-term benefits to Edgartown, and the island.
- Negative impacts have been remediated through implementation of reasonable and effective measures.
- The applicants have affirmatively addressed, through amendments and modifications to their original proposal, addressed concerns put forward by town residents, and Commission members.
- The proposal appears to meet every requirement outlined or indicated in the MV Commission's published policies.

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<sup>4</sup> MV Commission Energy and Environmental Building Policy, from <http://mvcommission.org> on November 15, 2019

<sup>5</sup> MVC Policy for DRI Review: Housing, from <http://mvcommission.org> on November 15, 2019

<sup>6</sup> Meeting House Place Re-Design - Updated Narrative, dated August 15, 2019, found at [http://www.mvcommission.org/sites/default/files/docs/DRI 682A Meeting House Place Offers 2019-08-08.pdf](http://www.mvcommission.org/sites/default/files/docs/DRI%20682A%20Meeting%20House%20Place%20Re-Design%20Narrative%202019-08-15.pdf), as retrieved on November 15, 2019.

<sup>7</sup> Letter dated August 8, 2019, found at <http://www.mvcommission.org/sites/default/files/docs/DRI 682A Meeting House Place Offers 2019-08-08.pdf>, as retrieved on November 15, 2019

- The offers by the developer related to these concerns are considerable and, I predict, will be beneficial and effective.
- These concessions, which will pose a considerable financial burden to the applicant, have been offered voluntarily.

I believe these points should be given serious consideration.

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Based on the evidence of the documentation provided by the applicant, and the deliberations of the Land Use Planning Committee, I believe that **this proposal meets or exceeds all necessary criteria for Developments of Regional Impact**.

I urge the MV Commission **to review this proposal on its own merits as measured by MVC policy**.

I also urge the MV Commission **to weigh this proposal against previous applications for similar scale development that have been approved by the MV Commission**.

I trust that, through rational and objective deliberation, the MV Commission in this case will arrive at a similar affirmative result.

Sincerely,



Fred Mascolo, Chairman  
Edgartown Planning Board

FM/dcf

cc: Doug Hoehn, SBH, Inc. (by e-mail)  
Sean Murphy, McCaron, Murphy and Vukota (by e-mail)