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Minutes of the Commission Meeting Held on April 26, 2012 In the Stone Building 33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

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

- Bill Bennett (A-Chilmark)	P Chris Murphy (E-Chilmark)
P John Breckenridge (E-Oak Bluffs)	P Katherine Newman (E-Aquinnah)
P Christina Brown (E-Edgartown)	P Ned Orleans (A-Tisbury)
P Peter Cabana (E-Tisbury)	P Camille Rose (A-Aquinnah)
- Martin Crane (A-Governor)	P Doug Sederholm (E-Chilmark)
PErik Hammarlund (E-West Tisbury)	- Linda Sibley (E-West Tisbury)
P Fred Hancock (A-Oak Bluffs)	P Brian Smith (A-West Tisbury)
P Leonard Jason (A-County)	P Holly Stephenson (E-Tisbury)
P James Joyce (A-Edgartown)	

Staff: Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Seidel (GIS Coordinator)

Chairman Chris Murphy called the meeting to order at 7:00 p.m.

1. MINUTES

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.

Fred Hancock moved and it was duly seconded to approve the minutes of March 28, 2012. Voice vote. In favor: 11. Opposed: 0. Abstentions: 3. The motion passed.

Doug Sederholm moved and it was duly seconded to approve the minutes of March 27, 2012 with the correction of the time. Voice vote. In favor: 12. Opposed: 1. Abstentions: 0. The motion passed.

2. KIDDER LOT LINE CHANGE – EDGARTOWN (DRI 632-M) MODIFICATION REVIEW

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.
For the Applicant: Michael Kidder

2.1 Staff Report

Paul Foley presented the Staff Report:

- The project was approved last year for 3 lots on 20 acres on Chappaquiddick.
- TNF Realty Trust is proposing minor revisions to the development envelopes that were approved by the MVC as part of DRI 632.
- The revisions result in 285 square feet less in the development envelope and the amount of open space remains unchanged.

- The revised site plan was reviewed.
- The development envelopes are being revised to accommodate a change in a proposed driveway, a revised location for a proposed well and a location for a future pool.

2.2 Land Use Planning Committee (LUPC) Report

Doug Sederholm, LUPC Chairman noted that it was voted unanimously at LUPC to recommend to the full Commission that the modification does not require a public hearing.

2.3 Applicants Presentation

Michael Kidder thanked the MVC for listening to their needs and for their support.

Christina Brown said that she was glad that they received the archaeological report since this is a sensitive site. **Michael Kidder** noted that nothing significant was found.

Michael Kidder clarified that the survey says 285 square feet less in the development envelope and 285 square feet more in open space.

Fred Hancock moved and it was duly seconded that the modification does not rise to the level of significance requiring a public hearing. Voice vote. In Favor: 13. Opposed: 0. Abstentions: 1. The motion passed.

Fred Hancock moved and it was duly seconded to incorporate these changes into DRI 632-M. Roll call vote. In Favor: J. Breckenridge, C. Brown, P. Cabana, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson. Opposed: none. Abstentions: none. The motion passed.

3. HARBORVIEW HUXFORD COTTAGE – EDGARTOWN (DRI614-M2) MODIFICATION REVIEW

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.
For the Applicant: Sean Murphy

3.1 Staff Report

Paul Foley presented the Staff Report.

- In 2008 the renovation plan was for 42,000 square feet.
- The applicant has come back with another modification due to the Lehman Brothers financial shortfall.
- The applicant wants to consolidate offices to the space where the spa was to be located.
- They have a new phasing proposal that will have four phases.
 - Phase 1 (September 2012 to May 2013) will consist of minor painting, furniture replacement and some small-scale mechanical, electrical, plumbing and carpentry in the main hotel building and in the five existing renovated cottages: Huxford, Rowley, Osborne, Luce and Collins. They will also embark on a vigorous renewed sales and marketing effort during the Spring and Summer of 2012 to sell the existing 18 hotel suite units as previously permitted by the ZBA and the MVC. Assuming solid sales, a building permit will be applied for in the Fall of 2012 to build the Morse cottage.
 - Phase 2 (September 2012 to May 2014) will consist of construction of the Bradley and Snow cottages, plus the Morse cottage if not built the previous winter based on the sales results.

- Phase 3 (September 2014 to May 2015) will consist of construction of the Martin, Pease, and Penniman cottages.
- Phase 4 (September 2015 to May 2016) will consist of the demolition of the old Mayhew building and the construction of Fisher and a new Mayhew cottage in the footprint of the old Mayhew cottage.

3.2 Land Use Planning Committee (LUPC) Report

Doug Sederholm, LUPC Chairman noted that it was voted unanimously at LUPC to recommend to the full Commission that this modification does not rise to the level requiring a public hearing and approved the proposed change to sue the basement of the cottage.

3.3 Applicant's Presentation

Sean Murphy noted that the original plan in 2008 was for two phases. Due to the economic meltdown the plan is being revised to four phases. Once each set of the cottages sell, they will move to complete the next phase. Mr. Murphy reviewed the phases that were discussed in the staff report.

Brian Smith noted that it was originally a two winter project and it is now going to be a four winter project. **Sean Murphy** confirmed and said that all work would be done off season.

John Breckenridge moved and it was duly seconded that the modification is not significant enough to require a new public hearing. Voice vote: In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

Peter Cabana moved and it was duly seconded to approve the DRI modification to accept the phasing as outlined by the applicant and the change of the use of the basement. Roll call vote. In favor: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson. Opposed: none. Abstentions: none. The motion passed.

4. TOWN PROVISION AT AIRPORT – EDGARTOWN (DRI-636) WRITTEN DECISION

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.

John Breckenridge moved and it was duly seconded to approve the written decision.

Paul Foley noted that he received comments from Sean Murphy regarding several revisions to clarify the language.

- 3.1 Project Description - revise to state; when there is a show at the property.
- Revise language on A4 that the applicant is making a monetary contribution.
- On A8 C. - add the language that this is the only location at the airport that has a preexisting non-conforming use.

Christina Brown moved and it was duly seconded to strike the language on A8 C. "The Commission questions whether the proposal meets the standards for such a designation but defers to the local Special Permit Granting Authority on this matter". Voice vote. In favor: 11. Opposed: 0. Abstentions: 2. The motion passed.

Fred Hancock moved and it was duly seconded to revise the language for Condition 8 (Affordable Housing) to include that the contribution will be made before the Commission's Certificate of Compliance is issued. Voice vote. In favor: 13. Opposed: 0. Abstentions: 0. The motion passed.

Fred Hancock noted that number 6. Conclusion should also include that the preceding conditions have been satisfied.

Roll call vote on the original motion to approve the written decision. J. Breckenridge, C. Brown, P. Cabana, J. Joyce, N. Orleans, C. Rose, D. Sederholm, B. Smith, C. Murphy. Opposed: none. Abstentions: none. The motion passed.

5. OYSTER BAR RESTAURANT REDEVELOPMENT (DRI-596-M) PUBLIC HEARING

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.

For the Applicant: Fielding Moore (President, Edgartown National Bank), William Christopher (Architect)

Doug Sederholm, Public Hearing Officer read the Public Hearing Notice and opened the Public Hearing at 7:15 p.m. The applicant is the Edgartown National Bank. The project location is 57 Circuit Avenue, Oak Bluffs Map 11 Lot 35 (.011 acre). The proposal is to demolish the existing Oyster Bar and build a three story building, plus a basement, with a branch bank and up to two commercial units on the first floor and four two-story townhouse condominium apartments on levels two and three.

John Breckenridge stated that he had spoken to the State Ethics Commission with regards to a conflict of interest. At the Land Use Planning Committee (LUPC) meeting a recommendation was made for the applicant to have discussions with the Camp Meeting Association and the Cottage City Historic Commission. His wife serves on both of those organizations and he has filed a disclosure.

Doug Sederholm realized that he has represented the Camp Meeting Association in an eviction action against a tenant in 2011. That action has been satisfied and he will file a disclosure with the Town Clerk and he is able to objectively review this project.

Erik Hammarlund has closed loans with the Edgartown National Bank in his professional capacity as an attorney and recused himself from the meeting.

Lenny Jason previously disclosed that he has had bank accounts at the Edgartown National Bank.

Christina Brown noted that many of us had and still have bank accounts at the local banks and that is not a conflict.

5.1 Staff Report

Paul Foley presented the Staff Report:

- He reviewed the location and the revised plans received on April 25, 2012.
- The zoning is B-1, Commercial District. The maximum height is 35 feet with possible additional height for Victorian features such as towers.
- The proposal is to demolish the existing Oyster Bar Restaurant.
- The covered stairwells to the roof decks appear to exceed height limitations. The front setback is five feet and the rear setback is zero feet. The Building Code requires three to five feet setbacks for 15% window openings or more than five feet setback for normal window openings.
- Local permits required are a building permit, Wastewater, Special Permit from the Zoning Board of Appeals (ZBA) per Section 7.2.3 (Conversion and Expansion of Existing Building to Apartment Units), Special Permit from the Planning Board to waive parking requirements and Site Plan Review for construction, exterior alteration or exterior expansion of, or change of use within a commercial or multi-family structure involving more than 500 square feet.
- In 2007 the MVC reviewed a proposal to build a three story building with a renovated Oyster Bar & Grille restaurant on the ground floor and a function hall and four apartments above (later changed to no function hall and eight apartments above). The Commission expressed concern with

the bulk and mass of the proposed three story building and the application was withdrawn. The LUPC also had concern about the mass and scale.

- The footprint of the new building would be 3,225 square feet and the total floor area would be 9,828 square feet. The bank branch would be approximately 1,216 square feet. The two retail units would be 720 square feet and 900 square feet.
- The two story townhouse condominium apartments on levels two and three would each have two bedrooms and four individual roof top decks (two with 96 square feet and two with 129 square feet).
- The revised plans received on April 25, 2012 show a mansard roof, reconfigured roof decks pulled toward the front of the building and the second and third floors pulled back about five feet from the rear, allowing windows. The first floor is still about two feet back from the rear property line.
- The DRI Referral is from Jim Dunn, Oak Bluffs Building Inspector on March 5, 2012. The DRI Trigger is 3.1a (2,000 square feet), 4.1d (four or more units with mix residential and commercial use), 4.2 (demolition in a Commercial District).
- Traffic scope was approved at the LUPC meeting on March 23, 2012.
- A site visit was done on April 26, 2012 with approximately ten neighbors and abutters.
- The building abuts a National Historic Landmark, the MVCMA Campground.
- Key issues include:
 - How will a three story flat roofed building fit into the streetscape and historic context at this location?
 - The building is over 100 years old with distinct character and a long history of housing locally important establishments.
 - Where will customers and residents park their cars?
 - What is the anticipated construction schedule and how would the construction of the proposal affect the neighborhood and downtown businesses?
 - Where will the construction materials be stored during construction?
 - How will the noise and dust from the demolition and construction impact the surrounding businesses and residences?
 - If demolition of the existing structure is approved, would the community be better served with the existing building in place during the summer or with the building removed and the site enclosed by a construction fence?
- It is an urban setting with no landscape. They may have room for a few planters.
- The habitat is not a National Heritage Endangered Species Program (NHESP) area.
- Lighting is to be determined.
- Compared to the restaurant that previously occupied the building, the noise should be considerably diminished. Neighbors have expressed concern with noise from the roof decks.
- The location is on town water and the existing building is on town sewer.
- The building has no driveway or parking. A pedestrian walkway along the side of the parcel leads from Circuit Avenue back into the Campground. There are two loading zones in front of the building on Circuit Avenue.
- The proposed walk-in bank, two retail units and the four condominiums are expected to generate 321 weekday trips, including 9 morning-peak-hour trips and 48 afternoon-peak-hour trips, according to the ITE Trip Generation manual. An assumption can be made that a significant amount of customers for the bank and retail operation would be walkers, bikers, or those who are already on Circuit Avenue.
- The overall parking requirement according to zoning would be 23 parking spaces. The overall parking demand according to ITE would be 13 to 19 parking spaces. There is no parking proposed for this project.

- The Town of Oak Bluffs allows the Planning Board to waive the zoning requirements for businesses that cannot supply their necessary parking upon payment of an annual fee to the Parking Mitigation Trust.
- According to the MVC's Affordable Housing Policy the monetary mitigation for the proposed 9,828 square foot building is \$10,656. The applicant has not made an affordable housing offer at this time but will be contacting the Oak Bluffs Affordable Housing Committee as well as other community housing organizations.
- The proposed project is an appropriate land use within the B-1 Business District.
- The bank would operate year round and the hours of operation would be Monday-Friday 8:30 a.m. – 5:00 p.m. and Saturdays 9:00 a.m. – 12:00 p.m. The bank estimates there will be five full-time, year-round employees.
- The potential impact to school, police and fire are likely to be minimal since there are four residential units.
- The applicants want to demolish the building before the summer season. The construction process poses problems in that there is no room on site for staging and the construction could disrupt the tourist area in which it is located.
- The three-story building with a minimal setback from the abutting cottages in the Campground would overshadow these cottages. The impact is reduced slightly in that the upper floors are setback five feet from the ground floor.
- The roots of a mature oak tree may be impacted. It is approximately six to eight feet from the property line.
- With respect to streetscape and building design:
 - The project is located on Upper Circuit Avenue. Given that the location is highly visible and has historic significance, it should harmonize with the character of this part of the streetscape as well as providing an appropriate interface with the surrounding area and the Methodist Campgrounds.
 - Lower Circuit Avenue, below Island Authentics (47 Circuit Avenue) has taller, mostly two and three story, higher density and more closely packed buildings.
 - Upper Circuit Avenue has smaller mostly cottage style buildings, is less dense and has more space between buildings in keeping with the residential buildings that surround it. This project should harmonize with the defining streetscape characteristics of that section of the streetscape.
 - The properties on the Oyster Bar side of Circuit Avenue abut the Martha's Vineyard Campground Meeting Association (MVCMA) Methodist Campgrounds which were designated as a National Historic Landmark in 2005. The rear and north side of any building on this parcel will be highly visible because the abutting buildings are small cottages and there is a pedestrian passageway along the side.
 - In 2007 the Cottage City Historic Commission held a vote on the historic value of the building. Since the vote was tied (3-3) the motion to designate it as historic did not pass.
 - Most of the area around the project site is protected with historic status. Circuit Avenue is made up of buildings of a similar age to the adjacent areas, but the B-1 District is currently excluded from historic districts.
 - The Island Plan identifies this area as a Historic Area. It recommends the objective to protect historic resources, such as culturally significant buildings, streetscapes and areas and ensure that new development is compatible.
 - Narragansett and Kennebec Avenues both terminate at Circuit Avenue with their visual axes aligned with the Oyster Bar building. This makes whatever happens on the property more highly visible compared to a parcel elsewhere along the street.
 - Building Massing is a concern:

- The proposed building is a full three stories high with a flat roof, an almost monolithic volume with minimal setbacks. The proposed building is being built close to the maximum permitted in the zoning.
- The proposed building would be much larger than the other buildings on Circuit Avenue with a density well over two times that of the other buildings. It does not conform to most of the defining characteristics of that streetscape.
- The side facades are three stories high with no setbacks. The three story high vertical wall immediately south of the pedestrian walkway from Circuit Avenue to the Campgrounds would significantly reduce sunlight in the walkway and would appear as very high relative to the narrow walkway.
- In considering this proposal, the Commission may wish to consider the precedent it would set for replacing other buildings on Upper Circuit Avenue with new three story, flat roofed buildings and the impact that this would have on the character of the area.
 - o The front façade of the proposed building replicates the existing building on the main floor.
 - o The third floor has a false mansard roof which adds some visual definition to this floor though it does not decrease the massing.
- Abutters have expressed concerns over the scale of the project in relation to the adjacent area, noise from the roof decks, odors, diminished sunlight and parking.

5.2 Applicants' Presentation

William Christopher and **Fielding Moore** presented the following.

- The big issues are obvious and are what should be discussed, namely the massing and the size of the building.
- They think that the size of the building reinforces the business mode.
- The building will impact the rear and they have met with the Campground owners to try and address their concerns.
- They have pulled back the wall five feet away.
- The foundation involves planning and engineering and will not affect the abutters.
- There will be two modes of egress out of the building.
- The Campground gave their concerns and it is justifiable that they are emotional about where they live.
- Parking is one of the issues.
- There is no real commercial zoning on the Island. It is case by case and comes before the MVC.
- Typically when there is an applicant they are trying to promote something. The bank has no interest in the income generated by the apartments. They are interested in building a branch bank there.
- They heard that there is need for housing on the Island which is why the town houses were added. The bank would be happy with one story.

Doug Sederholm noted that from the discussion at the LUPC meeting, the bank can only develop the first floor. If the project is approved, the bank will find a partner to develop the second and third floors.

Fielding Moore said that they have looked into affordable housing issues and the bank does not want affordable housing to drive the project. They are concerned that affordable housing would be driving the process and if the bank does anything with housing it would be for employees. They do not want to be restricted that it would be affordable housing and would not be partnering with the Affordable Housing Trust.

Holly Stephenson asked, if the bank is not concerned with the second and third floors, how it became a part of the project. **Fielding Moore** said the architect designed it with the idea that the community would like housing.

John Breckenridge has the same concern. The applicant usually tells the MVC what they want, so where is this want for the second and third floors coming from. **Fielding Moore** said it is based on a need for housing, so they incorporated it into the project.

Ned Orleans, Doug Sederholm, Brian Smith and **John Breckenridge** questioned the application of three stories versus one story. You are applying for a three story building and that is the application, but you won't be disappointed if it is approved for one story. **William Christopher** said that they were asked to develop a project that incorporated housing based on a community need. If we don't do housing then we can meet the mission of the bank branch.

Fielding Moore said the bank's priority is putting a bank branch in that location.

Doug Sederholm noted for the record that the first meeting at LUPC was a pre-hearing planning meeting.

Fred Hancock said that when we see a project that has this much massing, the applicant usually states they need all of the proposed development, so this seems confusing to hear about a change that the applicant doesn't really care if they have the apartments. It seems a bit peculiar.

Doug Sederholm did not find it peculiar. The Commission has to hear from the public and get a clarification from the applicant.

5.3 Public Testimony

Erik Albert owns the Oak Bluffs Inn and said it will not be appealing to have the site as a slab all summer. The roof decks are now moved toward his property. The current state of the building is deplorable. People want to live in town but he wishes the building was a little more appealing.

Craig Lowe is the President of the Campground Association. He has brought an architect, Douglas Ulwick who has a few models that will show the massing and the context. Context is a big issue since the Campground is a National Landmark. There are only 185 National Landmarks in Massachusetts. This is a unique population and architecture.

Douglas Ulwick gave the following presentation using models to demonstrate massing and context.

- Five years ago 8,941 square feet was proposed and it used up the skyline.
- The new proposal is 10% larger than five years ago and presents a blank wall to the streetscape.
- Changes have been made due to discussions with the architect of the project:
 - Roof decks are pushed to the front.
 - The back wall is shifted in on the second and third floors by five feet.
 - The square footage has been brought down to what could be considered for affordable housing.
 - They asked for the mass to be broken down with a mansard roof.
- Noise from the roof decks continues to be a problem for the Campground.
- There is a grave concern about the physical structuring of this building and how it will impact the historical area.
- The proposal is for three tenant spaces on the ground floor and two are to be retail.
- It has been heard that if the community does not want the upper floors it won't happen and the Camp Meeting Association does not want it to happen.

John Breckenridge asked the project architect what is happening with regards to the footings and foundation. **William Christopher** wants to start construction before the weather hits and will not be driving pilings and not doing foundation work during the summer.

Peter Cabana asked if they are putting in twelve feet sheet pile for the three story structure and if they went with a single story what would the sheet pile be. **William Christopher** confirmed the sheet pile and replied five feet is needed for one story.

Peter Cabana asked if they run into a boulder what would they do. **William Christopher** said they would assess the size of the boulder and move the foundation around it to circumvent the obstruction. Test holes in the middle of the building were all sand. Once the contractor is on board, they will be responsible for means and methods, and they may differ from the architect.

Craig Lowe quoted the Island Plan stating that this is a historic district. The character of our neighborhood and community would be threatened by the demolition of historic buildings.

Doug Sederholm asked Mr. Lowe if he represented everyone that is part of the Camp Meeting Association. **Craig Lowe** replied that he did and we own the land and are the direct abutters.

Rick Huss is a Campground owner. The cottages are built on brick piers and any pounding or vibrating will affect the delicate nature of how these houses are constructed.

Susan Thurber has inherited an immediate abutting property known as the Hillards Candy building. She is concerned about the setbacks and asked for clarification. **Doug Sederholm** believes the setbacks for the district are five feet from the front and zero feet on the rear and side. **Paul Foley** noted that commercial district's often have setback from abutting residential districts, but that does not exist in the Oak Bluffs commercial district.

Susan Thurber said the alleyway between the store and the Oyster Bar was closed down years ago on the Campground side as well as the front street side. It has reverted back to public property and we incur damage. This now has to be resolved with the estate. **Doug Sederholm** noted that is beyond the scope of this hearing.

Marguerite Cook is the tenant in the Hillards building and owns the candy store. There is a freezer in the area and they are concerned about the potential hazard it creates. She asked what the demolition start date is, since we are coming into the season. She also wants to know what protection the store building will have since she is open every day. Concerns are if she will lose business and how it will affect her economically. She also asked where the entrance to the apartments is located. **Paul Foley** said there is egress on both sides of the building and showed the location on the site plan.

Ray Greenup lives in the Campground. The original plan for the building had a blank wall and no windows. Now with windows, she will lose privacy in our bedroom and outside shower. The tenants will be able to look directly in. The size is also objectionable. If the apartments sold at the discussed \$250,000, investors will buy them up and then there could be the potential to rent to summer visitors which can pose noise issues as well as short-term occupancy issues.

David Whitney said it is all about mass, size, roof decks and noise. He asked Mr. Moore if he is ready to go with one story. If you are, we are ready to support you and ready to go with the project. Noise from the main street comes in now due to the construction of the cottages. Roof decks will increase that noise. Please think of the character of the Campground and what it brings to the Island and its visitors.

Marguerite Cook said that the candy store was a campground house and she is also concerned about what any vibration may do to it.

David Howe said that nothing we have seen tonight has changed our opinion. The building is still too massive. We were seeking to have the ATM machine moved out of the alley and that issue has not been addressed and we are hoping that the entrance to the apartments would be relocated. Its current location would be a constant problem to the Campground.

Rena Greenup owns the cottage that abuts the Oyster Bar in the back. We have not seen anything about shade projections. We are worried that the quality of our lives will be changed irrevocably.

JB Blaut is from the Vineyard Vines building and has tenants in that building. They are not direct abutters, but are located across the street. Not having a restaurant in the proposed location is wonderful. They have three stories so cannot comment on that issue, but roof decks may pose noise issues.

Ray Greenup said that the project has asked for a waiver of parking. He pays for parking to the Campground and often others park in his space. It is an issue now and will become a bigger issue with the building. If there are tenants they will look for parking spaces and the public takes advantage of the Campground and does not view it as restrictive parking.

Chris Murphy asked if Christine Flynn could address the affordable housing needs. **Christine Flynn** presented the following.

- In town there is always a need for housing at various income thresholds and family size.
- There is especially a need for one and two bedroom options.
- She can provide a report with information regarding wait lists from the Dukes County Housing Authority by income and family size.
- It is a community benefit and provides property taxes to the town.

Rick Huss said that he is not against housing or affordable housing and would love to see it, if it provides and accommodates the campground.

Erik Albert is busy through October with the Inn, so starting construction in September would be an inconvenience. September is a busy month and can be busier than June.

Rena Greenup said she thought the President of the bank said that they were not going to search to work with affordable housing. **Doug Sederholm** clarified that they are not planning to partner with an affordable housing group because financing with affordable housing would not work with their time schedule.

Fielding Moore noted that the condominium association would be controlled by the bank and would not have short-term rentals. They want stable renters. **Leonard Jason** asked if this housing was for employees of the bank. **Fielding Moore** said they would give employees the first shot as they would like them to take advantage of it for at least two of the units. He confirmed that there is no parking currently.

Rick Huss said that the bank wants to build a one story bank building and now the President of the bank is saying they will put a restriction on the housing. He asked for clarification. **Doug Sederholm** said the bank cannot develop the housing as a money-making proposition. The bank will be a member of the condominium association and will have control over what will happen. **Douglas Ulwick** is concerned how this scenario will work in the long run. **Doug Sederholm** stated that whatever is offered by the applicant, the MVC can make as a condition.

Peter Cabana is worried about the construction of the foundation and wants to hear the plan for excavation. **Chris Murphy** felt that this is a subject between the building inspector and the applicant.

William Christopher said there will be a structural engineer and a geo tech on board and everything will be reviewed before construction begins. **Doug Sederholm** said there is a concern for the potential to damage the surrounding buildings and that needs to be addressed.

Marguerite Cook asked who is responsible for any construction damage to the cottages and abutters.

William Christopher noted that there is builders risk insurance. They have not definitively determined how it will be constructed, and the concern is noted.

John Breckenridge said that the Commission has heard about the massing in an historic area and the construction methods appear that they may be harmful. Insurance policies don't mean anything to preserving the historic nature of a historic area. We are trying to suggest in certain ways, how to perhaps go about this process due to the historic nature. There is a compromise that could work for everyone, so please listen to everyone.

Doug Sederholm reminded everyone that this is a Public Hearing to gather information.

Fielding Moore said that in terms of being a corporate citizen, this has been our goal since day one. He has an affinity for historical structures. He asked the architect to design something that is historically accurate and with Victorian details. They came to the Public Hearing to get feedback and may possibly change the design.

James Joyce noted that the campground owners are concerned about the foundation construction, but you have to put in a foundation even with a one story building.

Rick Huss said that they just want everyone to be concerned about the impact of any type of construction.

Craig Lowe said that digging of a basement of any type will be an issue, but asked what can be done to mitigate it and try to minimize the impact on the surrounding buildings.

JB Blaut thanked the bank and Mr. Moore for being open to listening to everyone's concerns.

Doug Sederholm continued the Public hearing to May 17, 2012 and a mid-Public Hearing at the Land Use Planning Committee (LUPC) meeting on April 30, 2012.

Chris Murphy recessed the meeting at 9:10 p.m. and reconvened at 9:15 p.m.

6. OTHER BUSINESS

Commissioners Present: J. Breckenridge, C. Brown, P. Cabana, F. Hancock, L. Jason, J. Joyce, C. Murphy, K. Newman, N. Orleans, C. Rose, D. Sederholm, B. Smith, H. Stephenson.

6.1 Presentation by Christine Seidel

Chris Murphy asked that Christine Seidel (GIS Coordinator) give a quick report on her responsibilities and what she does for the MVC and how it assists the community.

Christine Seidel reviewed her work at the MVC:

- She has been with the MVC for eight years and is the Cartographer.
- She assists the town planning boards and helps the town consultants.
- Has worked on projects such as the Mass Estuaries Project and handles any last minute reports and fields questions for maps and data.
- Christine is responsible for the maintaining the county wide data library.
- Training classes are offered for the GIS software program and she provides program support for the GIS software as well as base map data
- Recent projects since January 2012 include:
 - Oak Bluffs street map.
 - Mapping the Edgartown traffic accident locations.
 - Shoreline mapping for the Friends of Sengekontacket.
 - GPS some of the headstones at the West Tisbury Cemetery.
 - Oak Bluffs harbor watershed analysis.
 - Reviewing the buildings on Circuit Avenue.
 - Incorporate the Tisbury Planning Board development ideas into future development models.

Fred Hancock asked how she interfaces with the town assessors' offices. **Christine Seidel** said that there is a consultant that she works with and every town uses the same consultant. **Fred Hancock** also asked if there was an easy search function for the maps of the Island. It would be great if it were on the MVC website.

James Joyce asked who the Friends of Sengekontacket are and whether they give the MVC funding. **Christine Seidel** said that each request from a non-profit organization is looked at on a case-by-case basis. In this case, they are abutters and volunteers doing work for the benefit of the Island and that work is going back to the community so they were not charged.

Bill Veno noted that Christine is trying to empower the towns to use the data and it is a great benefit to the towns.

6.2 Other Business

Chris Murphy noted that the Island Housing Needs Assessment Study Committee needs a MVC member. He noted that Christina Brown has volunteered and asked if there were any other interested Commissioners.

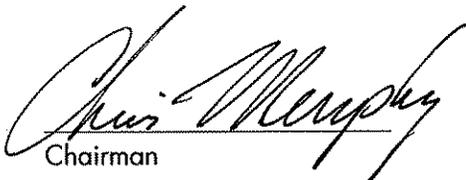
Chris Murphy moved and it was duly seconded to appoint Christina Brown to the Island Housing Assessment Committee. Voice vote. In favor: 13. Opposed. 0. Abstentions. 0. The motion passed.

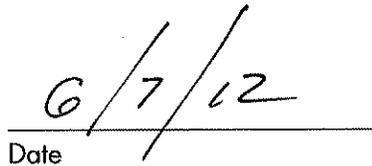
6.3 Minutes

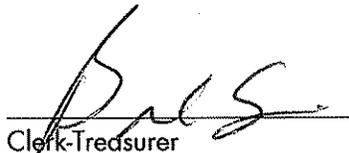
The meeting was adjourned at 9:40 p.m.

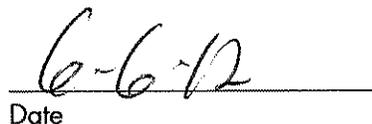
DOCUMENTS REFERRED TO DURING THE MEETING

- Schofield, Barbini & Hoehn Inc. Land Surveying – Civil Engineering; Revisions to Development Envelopes – TNF Realty Trust
- Written Decision – Condition 5 (DRI 632)
- Correspondence from Michael R. Kidder dated April 12, 2012
- Harbor View Hotel Phasing Schedule from Sean E. Murphy
- Decision of the Martha's Vineyard Commission – DRI 636 – Town Provision at Airport – Draft
- Martha's Vineyard Commission – DRI 596-M Oyster Bar Redevelopment – MVC Staff Report 2012-04-25
- DRI 596-M Oyster Bar Redevelopment – Letters Received as of April 26, 2012
- Oyster Bar Redevelopment Site Use Plans, Floor Plans and Elevations


Chairman


Date


Clerk-Treasurer


Date