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**Minutes of the Commission Meeting  
Held on April 17, 2014  
In the Stone Building  
33 New York Avenue, Oak Bluffs, MA**

**IN ATTENDANCE**

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

P Tripp Barnes (E-Tisbury)	- Joan Malkin (A-Chilmark)
P John Breckenridge (E-Oak Bluffs)	P W. Karl McLaurin (A-Governor)
P Christina Brown (E-Edgartown)	- K. Newman (A-Aquinnah)
P Madeline Fisher (E-Edgartown)	- Ned Orleans (A-Tisbury)
- Josh Goldstein (E-Tisbury)	- Doug Sederholm (E-Chilmark)
- Erik Hammarlund (E-West Tisbury)	P Linda Sibley (E-West Tisbury)
P Fred Hancock (A-Oak Bluffs)	P Brian Smith (A-West Tisbury)
P Leonard Jason (A-County)	P James Vercruysse (A-Aquinnah)
P James Joyce (A-Edgartown)	

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Flynn (Economic Development and Affordable Housing), Priscilla Leclerc (Transportation Planner).

**Chairman Fred Hancock** called the meeting to order at 7:00 p.m.

**1. MINUTES**

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Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, L. Jason, J. Joyce, W. K. McLaurin, L. Sibley, B. Smith, J. Vercruysse.

**Trip Barnes moved and it was duly seconded to approve the minutes of March 27, 2014 as written. Voice vote. In favor: 10. Opposed: 0. Abstentions: 1. The motion passed.**

**Linda Sibley moved and it was duly seconded to approve the minutes of April 3, 2014 with a correction on line 65, "his" should be "this". Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.**

**2. STOP & SHOP EXPANSION-TISBURY DRI-89-M3 CONTINUED PUBLIC HEARING**

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Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, L. Jason, J. Joyce, W. K. McLaurin, L. Sibley, B. Smith, J. Vercruysse.

**Fred Hancock**, Chairman opened the Public Hearing at 7:05 p.m. and continued the public hearing to May 1, 2014 at 6:00 p.m. at the Tisbury Senior Center without taking any testimony. Additional public testimony will be taken at the May 1, 2014 public hearing.

### **3. EDGARTOWN LOFTS EDGARTOWN DRI-170-M3 - PUBLIC HEARING**

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*Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, L. Jason, J. Joyce, W. K. McLaurin, L. Sibley, B. Smith, J. Verduyse.*

*For the Applicant: Sean Murphy (Attorney), Charles Orlando (Architect), George Sourati (Engineer), Charles Hajjar (Owner, Haven Road Realty Trust).*

**Linda Sibley**, Public Hearing Officer opened the continued public hearing of DRI 170-M3 Edgartown Lofts and noted the Public Hearing process.

#### **3.1 Staff Report**

**Paul Foley** presented the following.

- The packet of information contains the revised Staff Report, revised Offers, revised plans, Area Median Income information for Dukes County, and new correspondence. New information in the Staff Report is in bold type.
- An aerial view of the project was shown and the site plan was reviewed.
- The proposal is to now construct eight apartments instead of ten for a total of fifteen bedrooms instead of twenty.
- With the reduction in the number of bedrooms and apartments, the project is now below the MVC policy requirements for affordable housing mitigation.
- Building D (Post Office) is unchanged from the April 3, 2014 proposal other than the stairwells will now be enclosed. Building C will now have only three residential units, two bedrooms each, and the stairway and path in the rear have been removed.
- The offers have changed somewhat: With only eight apartments, the Affordable Housing Policy is no longer triggered. There will be a speed bump installed between Building C and D. Martha's Vineyard must be the primary residence of the tenants and units may not be sublet. Parking shall be limited to two vehicles per unit. Units may not be sold or transferred to a third party for at least five years. There are additional construction staging and mitigation details.
- The site plan shows a reconfigured parking lot plan that adds fourteen parking spaces.
- Since the public hearing has been in progress, the proposal has dropped to below the minimum required number of dwelling units for a mandatory review.
- Key issues:
  - Does the reconfigured parking plan work? Does it conform to MVC policies?
  - How would this addition within an existing development impact neighboring residential and commercial areas?
  - Could the rental units be converted to condominium use in the future? What mechanisms are in place to ensure that these residential units remain as workforce rental housing?
  - How will the design fit in with the existing context?
  - Neighbors have raised concerns that the complex is already overburdened and is used as a cut through by vehicles trying to avoid the Triangle. Will the proposed

use significantly increase trip generation to the Triangle business complex and/or negatively impact the circulation?

- Does the current proposal meet A.D.A. Accessibility requirements?
- There are currently a total of 69 parking spots in the Post Office Square complex and three loading zones. The reconfigured site plan proposes 83 parking spaces and four loading zones. The site is next door to the Town Park-and-Ride.
- The Edgartown B-II Zoning states that for parking areas of fifteen or more spaces, bicycle racks facilitating locking shall be provided to accommodate one bicycle per three parking spaces of fraction thereof. Therefore 29 bicycles should be accommodated. Four racks, each for eight bicycles are proposed in four locations for a total of thirty two bicycle parking spaces.
- The proposed project to develop eight rental apartments does not trigger the MVC's Affordable Housing Policy.
- The one bedroom unit shall be restricted to two people and the two bedroom units shall be limited to two adults and any children.
- The applicant has offered not to sell the units as condominiums for five years.
- The revised floor plan for Building C, the back elevation and the Dark Woods elevation for Building C and the elevation for Building D were reviewed.
- Photos of the staked property lines were shown.
- The plants and the shrubs in the proposed covered stairway location will be replanted.

**Sean Murphy** clarified that the parking alongside the A and B buildings belonged to Mariners Landing.

### **3.2 Applicant's Presentation**

**Sean Murphy** presented the following.

- He introduced Charles Orlando and Charles Hajjar.
- The applicant listened to the direct abutters and the neighbor's concerns and based on that input has done the following.
  - Eliminated the use of the setback for Building C, because of how it affected Mr. Saccone's property.
  - Reduced the size of the project by 20%. There are now eight units versus ten and fifteen bedrooms versus twenty.
  - The mature plantings will stay in place.
  - No changes will be made to the back of Building C.
  - The applicant has decided to enclose the stairways after listening to Dark Woods saying they would move their fence. There are no exterior staircases, they are all totally enclosed.
  - Between Building C and D, the applicant has proposed a speed bump to help divert stormwater into the grassy areas and to help slow down traffic.
  - The parking spaces were 18 to 19 feet deep and they are now 20 feet deep in most cases.
  - The five mature trees will be replanted and additional trees will also be planted.
- A major issue that was raised was safety and a second means of egress. After hearing those concerns, the applicant reviewed the issue and it was found that safety issues and fatalities were due to fire and not the actual means of egress. In addition it was found that

sprinklers reduce fatalities by 82% and the buildings will be sprinklered. The buildings will meet the technical codes and will be safe.

- Traffic is horrible in the area and especially with the cut through. The units will not increase traffic substantially, as was indicated by the traffic study prepared by MVC staff.
- The 1984 Decision required that the mechanicals be as far away from the abutting neighbors as possible and that has been done.
- In Building C, the units are now at the ends of the building and the view is of the parking lot and the backyard and not into the abutter's windows.
- Trash will be contained. The pickup will be the same as it is now and if needed additional dumpsters will be provided.
- It will be in the lease that each unit is limited to two parking spaces and will be enforced by the condominium business unit owners. The current unit owners supported the plan because the additional fourteen spaces will benefit them and the residential spaces will most likely not be used during the day.
- The dimensions of the parking spaces are the same as what has been approved for the hospital.
- There was a concern about the survival of the trees in the parking lot and cars bumping into them. The reason the trees are not doing well in the Stop & Shop lot is because there are no panting beds to help prevent the cars from bumping the trees. This project will have six foot wide planting beds and in addition the trees will be aligned properly to prevent damage from vehicles. At the Stop & Shop lot, the trees that have bumpers have survived.
- On the landscape plan, the edge of the planting beds will be used for snow removal and loading zone 86 will also be used for snow placement to ensure parking spaces will not be lost.
- With regards to construction mitigation, the parking lot will be restriped first and the new parking lot will be finished before construction. As construction starts, four to five spaces will be used for staging so there will still be a gain of ten spaces; also, this is during the winter. Staging planks will be used for protection and the Post Office will not be affected. The parking lot will be complete before occupancy.
- There was a concern that there was no outdoor space for the tenants. This project is not subsidized housing, it is voluntary housing. If outdoor space is important to a potential tenant this is not the location for them to be renting.
- To comment on letters to the editor, the applicant is not preventing families from living here; it was just felt that the units would not be desirable for families.
- The ability to sublet the units has been eliminated.
- The affordable housing contribution has been removed from the offers since it is no longer applicable. Because the project is rentals, the budget is tight.

**W. Karl McLaurin** asked what it means that the affordable housing contribution has been removed. At the last public hearing it was stated the apartments were for a fair market rent and that they would be at the lower end of the market and is that still important to the applicant?

**Sean Murphy** said the rental structure is of importance and will be at the lower end of the market rates. The units are not affordable housing; they are year-round rentals for workforce housing.

**James Joyce** noted that the tenant parking is on an as-come basis and suggested that the tenant parking be in the middle of the lot so the perimeter parking is available to the businesses. **Sean Murphy** said that was a good idea and could be implemented. He noted there are two handicap parking spaces as well.

**Linda Sibley** noted that the parking is limited to two spaces per unit and asked what if one of the residents has a large truck, how that would be accommodated. **Sean Murphy** said the lease would restrict the vehicles to a regular size pickup truck and regular motor vehicle.

**Fred Hancock** asked whether the realignment and restriping of the parking lot be done before the summer. **Sean Murphy** said it would be done after the summer.

**Charles Orlando** presented the following.

- The Building C floor plan was reviewed. There is an enclosed staircase and the elimination of two units. The revised units are at the end of the building and the extra space created by the elimination of the two units will be left empty.
- In Building D above the Post Office, the units remained the same and the staircase is enclosed.
- Perspectives were reviewed for Building C and D.
- For Building D, the exposed stairway was replaced with an enclosed interior stair and the enclosed stairway is not coming as close to the property lines.

**Trip Barnes** asked why the unit size was not increased in Building C with the removal of the two units. **Charles Orlando** said the units are already 1,200 to 1,300 sf and additional windows would be needed if the square footage was increased and that could have an impact on the abutters.

**Linda Sibley** suggested that perhaps the use of the empty space should be specified. **Sean Murphy** said the space will be passive storage for the existing units.

**James Vercruysse** asked if the empty space will be unoccupied finished sprinklered space. **Sean Murphy** confirmed it would be.

**Fred Hancock** asked if the enclosed stairway in Building D that is closest to Building C blocks any view. **Charles Orlando** said the windows are not being blocked by the stairway.

### **3.3 Testimony from Public Officials**

**Dan Seidman** from the Dukes County Regional Housing Association said the Association helps all across the Island with housing needs. With regards to the statement that Sean Murphy made regarding subsidized housing being take it or leave it, the Association offers a lot of choice and opportunity to meet housing needs. It would be nice if the applicant would designate two or three units to affordable housing that would serve 80% or even 50% below AMI. He also owns rental properties and there is no problem filling them. There will be people who can't afford these units. Dukes County Regional Housing Association is for a working population and all incomes are verified. If two units were designated to affordable housing they would stay in perpetuity as affordable housing. With regards to planning, density is an issue. Parking and traffic is a problem but that is an ongoing issue on the Island and at the Triangle and Five Corners. If the applicant didn't feel the need to offer any units as affordable housing, perhaps the MVC could condition it. It would help to serve a sector that needs help to find housing at an affordable rate.

There was a discussion about what is affordable housing.

- **Linda Sibley** asked Christine Flynn to clarify the definition of affordable housing.
- **Christine Flynn** said the state and federal government define affordable housing as meeting the needs of people earning 80% or less of area median income. There is no set definition for affordable housing but an individual or family should not pay more than 30% of their income for housing. Up to 150% of AMI is considered community housing.
- **Brian Smith** noted that the increase in the need for housing has a positive effect on affordable housing as it increases the supply.
- **Christine Flynn** said it would and the applicant is targeting 150% AMI and that will have a positive impact.

### **3.4 Public Testimony**

**Harriet Hoar** asked what rate the apartments would rent for. **Sean Murphy** said he cannot give an actual definition as the rate is driven by the market but it is anticipated to be between \$1,500 to \$1,700 per month, as the location will dictate the rents to be at the lower end of the market rate.

**Greg Palermo** believes the project will have a greater impact on traffic problems than are anticipated. He said he sees cars stopped on Edgartown - Vineyard Haven Road because no one can get into the parking lot at Post Office Square and a bottleneck is created. Traffic will be slowed by not being able to maneuver the lot and also due to the additional parking spaces that are being created. He urged the MVC to not approve the project.

**Alice Upham** said every year the traffic gets worse and worse and hopes the MVC votes the project down and does not approve. Fourteen additional spaces are not enough.

**Joan Dunayer** said the volume of traffic going into the Post Office is not there. The Post Office doesn't use the space for hours at a time; the Post Office is continual use.

### **3.5 Commissioners' Questions**

There was a discussion about making the units condominiums in the future.

- **Fred Hancock** said he understands that the units will remain as rentals for five years and at that time they could become condominium apartments. If the reason for creating the apartments is due to sorely needed rental units on the Island but it is only being done for five years, that undercuts the applicant's argument for the need. If the need is for rental units, it needs to be for a longer period than five years.
- **Charles Hajjar** said he has been in the real estate business since 1985. He is not in the business to turn the building into condominiums and he has never done that with his properties. He has no intention to change the project into condominiums but he wanted the flexibility. It is not part of his business plan to turn the units into condominiums as he would rather hold onto the real estate.
- **Fred Hancock** said he felt, and perhaps other Commissioners felt the same, that the MVC cannot depend on who will be the owner in five or ten years.
- **Charles Hajjar** said he would be glad to change the condition to ten years.
- **Linda Sibley** noted he MVC is required by Chapter 831 to balance the benefits and the detriments of the project and if the balance changes it could have an effect on the project.

There was a discussion about year-round rental and primary residency.

- **John Breckenridge** asked the applicant to define primary residence.
- **Sean Murphy** said perhaps the SSA requirements could be used as proof of residency since they seem to successfully screen residents. The market for the units is a year-round twelve-month lease and there has to be some faith in who you rent to.
- **Trip Barnes** said he has no problem if someone rents and pays the rent annually and the occupant goes to Florida for six months of the year. He did not feel there would be a problem in renting the units since housing is in demand.
- **Mark London** said this project is not the only project where determining residency may be an issue. A primary address could be the IRS tax address.
- **Sean Murphy** said the units will be rented to year round residents of Martha's Vineyard that are in the workforce.
- **Linda Sibley** noted that the SSA does a good job defining residency requirements.
- **Charles Hajjar** noted the units are not furnished rentals so he doubts there would be seasonal residents interested.

**Madeline Fisher** asked how the tenant parking would be enforced if the center of the lot was designated. **Sean Murphy** said Mr. Hajjar's management company would require the tenants to park there and the retail tenants would also reach out to their condo owners. **Charles Hajjar** added that the tenants of the units would have a parking sticker.

**Fred Hancock** asked if the landscape plan had been revised. **Sean Murphy** showed the landscape plan. The existing five trees are to be replanted into the planting bed and eight new trees are to be added. The larger spaces are broken up by the landscape into smaller spaces so there will not be a sea of asphalt as there is now. The revised plan creates a crosswalk from the Stop & Shop Pharmacy and a walkway to tie into the bike path. The reconfiguration of the parking lot will function at a much better level and may slow down some of the cut-through traffic and will be aesthetically pleasing.

**James Vercruysse** asked whether the current ownership of the first floor is controlled by Charles Hajjar and how will the empty space on the second floor be viewed. Can that space be sold as condos or rented space? **Sean Murphy** said Charles Hajjar controls the first floor space. The empty space could be sold as passive storage only. If the applicant wanted to make retail or office space he would have to come back to the MVC and the Planning Board. He would like to reserve the right to make it passive storage.

**Linda Sibley** asked if there are any restrictions for the usage of the first floor condos. **Leonard Jason** said it is permitted use and requires a special permit.

**Fred Hancock** asked who is responsible for the maintenance of the trees and plantings with the new plan since the Condominium Association controls the parking lot. **Sean Murphy** said the Condominium Association has an agreement that each owner keeps up their own maintenance so Charles Hajjar would be responsible for the maintenance. He owns the first floor condos for Building C and D. If the trees do not survive the transplant the applicant will replace them. **Fred Hancock** noted that should be added to the offers and **Sean Murphy** agreed to do so.

There was a discussion about the parking lot.

- **Leonard Jason** asked what will be done if the new parking lot doesn't work.

- **Sean Murphy** said the professional engineers said it will work. The parking spaces are deeper and the same as the spaces at the Hospital and Mariners Way. The parking lot can't be any worse than it already is.
- **Leonard Jason** suggested doing the parking lot in phases to see if it does work and if it does then build the apartments.
- **Sean Murphy** said economically that would not work.
- **George Sourati** said guidelines were used to design the parking lot, smart growth, smart energy, and the smart parking model. The state encourages towns to adopt these guidelines. No one on Martha's Vineyard has adopted them and it is a good guideline. The project is in compliance with the guidelines. The parking lot will work and will be 100% better than what it is and will be a great improvement.
- **Sean Murphy** added that the MVC staff has also reviewed the parking lot reconfiguration and the design has been tweaked. Priscilla Leclerc has reviewed the plan and she is a professional traffic planner.

**James Joyce** asked if the applicant has his own construction crew or will he be using local help. **Charles Hajjar** said he does not have a crew and would be using the local workforce.

There was a discussion about the exit and entry ways.

- **Linda Sibley** asked if the exit and entry has been changed to control traffic.
- **Sean Murphy** said it has not. The current tenants like the openness. Priscilla Leclerc asked for the entry/exit to be narrowed out by the bike path. He showed the existing layout and the revised plan which shows more area for stacking of vehicles.
- **Bill Veno** said staff suggested narrowing the entry lanes since they are currently wider than a two lane entry way and causes conflicts and is a wider area for cyclists and pedestrians to cross. Narrowing the lanes slows down the traffic and provides safety. The center island lines extend beyond the island and a vehicle could possibly broadside another vehicle. This was shown and reviewed on the plan.
- **Sean Murphy** said he would talk with the condominium owners about the situation. The applicant is confident the plan will work and the lot is being made better but it is not perfect. The condominium owners like the entryway as it is but he will try to talk with them again and address the safety issues.
- **James Joyce** noted the entry/exit ways are now 44 feet wide and staff is proposing to reduce to 24 feet wide and suggested that perhaps the MVC could condition the revision.
- **Fred Hancock** asked if the applicant is proposing to paint /apply arrows on the parking surface.
- **George Sourati** confirmed directional arrows would be applied.
- **John Breckenridge** asked if the entire property is considered to be a DRI with regards to conditioning the entry/exit ways.
- **Paul Foley** said it is.
- **Madeline Fisher** noted that currently, two cars line up to exit and asked if that will continue.
- **Sean Murphy** said it would continue and the lot allows for that.
- **James Joyce** asked if a speed bump was considered on Mariners Way.
- **Sean Murphy** said no because everyone takes care of their own area.



**Christina Brown** asked if it is possible to designate parking spaces for the Post Office. **Charles Hajjar** said it is possible and he is open to doing that.

### **3.6 Applicant's Closing Statement**

**Sean Murphy** said the following.

- The apartments won't make the traffic better or worse.
- More than sufficient parking spaces are being provided. Under conservative guidelines, ten additional parking spaces are required and the applicant is providing a total of fifteen spaces including a handicap space. Based on the units' occupancy and the number of vehicles allowed, if no one left and all of the vehicles were in the parking lot they would take up sixteen spaces which is one additional space.
- The applicant understands the abutters' concerns but this project will not make the current location worse. The applicant has heard this is the right project but in the wrong place, but per the Island Plan this is the right location.
- The project will be able to treat the wastewater.
- The structures already exist and they just need to be dormered out and the parking lot needs to be reconfigured.
- The project is not affordable housing, it is reasonably priced housing for the workforce.
- The project is a private development on private property.
- The applicant will restrict the property for ten years and it is a considerable investment.
- The parking lot has been improved and not just by the number of spaces but also aesthetically. The lot is currently the worst parking lot on the Island and that will be corrected.
- It is asked that the MVC approve the project with the offers as amended and he thanked the MVC for their time.

**Linda Sibley**, Public Hearing Officer, closed the public hearing and the written record at 8:40 p.m.

**Linda Sibley** took a consensus from the as to whether the MVC should continue with Deliberation and Decision at tonight's meeting.

***Christina Brown moved and it was duly seconded to go to deliberation and waive a Post-Public-Hearing LUPC. Voice vote. In favor: 11. Opposed: 0. Abstentions: 0. The motion passed.***

### **3.7 Deliberation and Decision**

There was a discussion clarifying affordable housing and the rent.

- **W. Karl McLaurin** said the he was concerned about the vagueness of the rent. He thought as affordable housing it was in relationship to AMI and wished there was a solid figure on what the rent would be.
- **Christina Brown** said the clearest answer she heard during testimony was the units would be at the lower end of the marketplace for Martha's Vineyard.
- **James Joyce** said wherever the applicant said affordable housing it should instead state workforce housing.

*W. Karl McLaurin excused himself from the meeting.*

*Fred Hancock, Chairman recessed the meeting at 8:45 p.m. and reconvened at 8:50 p.m.*

#### **4. EDGARTOWN LOFTS EDGARTOWN DRI-170-M3 – DELIBERATION AND DECISION**

##### **4.1 Review of Offers**

There was a discussion about the landscaping plan.

- **Mark London** noted that the final landscaping, exterior lighting, and parking design plans need to be submitted to LUPC for final approval.
- **Sean Murphy** said the plans will be submitted within weeks.
- **Fred Hancock** said the plans need to be submitted before the building permit is issued.
- **John Breckenridge** said it is important to keep track of the important issues such as talking about vegetation, soils, and keeping water on the property. Also the narrowing of the exits and entry ways, tree branching, and the landscape maintenance in perpetuity.
- **Fred Hancock** noted that in the past it was allowed that the applicant escrow money if it was not possible to complete the landscaping due to circumstances such as weather.
- **Christina Brown** said the landscape plan is to be approved by LUPC before the applicant obtains the building permit. She suggested including in the landscape offer certain elements that are consistent with the MVC guidelines.
- **John Breckenridge** said the offers could include vegetated soils and prevention of runoff as well as the use of native species.
- **James Joyce** asked if the boiler plate language includes irrigation of the landscape.
- **Linda Sibley** said it did not; just general language requiring maintenance.
- **Fred Hancock** noted if the landscape is to be maintained in perpetuity, it would presumably have to be watered.

**Christina Brown** said the offers should have provisions to ensure stormwater is contained on the property.

**John Breckenridge** said the offers should include traffic mitigation to control the flow.

**James Joyce** asked how long the construction will take. The construction mitigation states no work from May 30<sup>th</sup> to September 20<sup>th</sup>. **Sean Murphy** said the exterior work will be done in the winter and the interior may possibly be done during the summer.

**James Vercruysse** said the language on the tenant parking offer should be revised to “fit in one space”. **Sean Murphy** agreed to the revision.

##### **4.2 Benefits and Detriments**

###### Benefits

- The location and project is appropriate with regards to the Town of Edgartown and the Upper Main Street Plan.
- The project is an appropriate use of second floor space.
- The condominium has a stormwater collection system.
- The proposed plan is to keep the stormwater on the property.
- The applicant has offered a green building.
- The project is close to public transportation.

- Regionally the project will be a benefit to traffic as it will reduce traffic on the Island roads for the short trips since the tenants will be able to walk to the Post Office, stores and the bank.
- There is not a change in character and identity with the proposed project.
- The architecture is in keeping with the area.
- Any rental housing on the Island helps to take the pressure off the rental market.
- Taxpayers will benefit with an increased tax base.
- The project will benefit the local workers that will be hired.
- The project efficiently uses the existing facilities such as the sewers and is a more efficient way to handle wastewater by using the existing facilities. Regional and town plans encourage this kind of development and the project meets State Smart Growth.

#### Detriments

- There will be some night-time noise.
- There will be additional traffic in and out and that will have some impact.
- There will be an impact on abutters but the applicant has taken measures to minimize the impact.
- The project is not moderate housing and someone on the Island that makes a moderate income would not qualify for affordable housing.
- The applicant proposes workforce rental housing and not subsidized housing.
- The project will impact the town services such as the fire and police departments.
- The Edgartown sewer system has a capacity and it is being apportioned. Every tie-in affects decisions about development in other places and may be a burden in the long run.

#### ***John Breckenridge moved and it was duly seconded to approve the project as presented with the amended offers and MVC conditions.***

- **James Joyce** noted that it was a shame that W. Karl McLaurin had to leave to catch the boat and was unable to vote by proxy.
- **Linda Sibley** said he was in agreement for the MVC to deliberate tonight rather than at a later time.
- **Christina Brown** said there is an informal way that the Commissioners can voice their concerns.
- **Linda Sibley** felt the way the MVC goes through the benefits and detriments is awkward. The Commission is asked to weigh the benefits against the detriments. There are obvious problems with the project. The project is so close to a beautifully planned rural development but she felt globally the project is in the right place since it is near facilities and on public transportation. Given the extreme need for additional workforce housing the need outweighs what the problems are.
- **Christina Brown** said there should be a mention of how the applicant has specifically spelled out how to keep the project as year-round rentals with no subletting, having twelve month rentals and a ten-year plan.

***Roll call vote. In favor: T. Barnes, J. Breckenridge, C. Brown, F. Hancock, J. Joyce, L. Sibley, B. Smith, J. Vercruyse. Opposed: M. Fisher, L. Jason. Abstentions: none. The motion passed.***

**Sean Murphy** thanked the MVC on behalf of Charles Hajjar.

## 5. NEW BUSINESS

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*Commissioners Present:* T. Barnes, J. Breckenridge, C. Brown, M. Fisher, F. Hancock, L. Jason, J. Joyce, L. Sibley, B. Smith, J. Vercruysse.

### 5.1 Post Public Hearing LUPC

**Fred Hancock** said there cannot be more than eight commission members at LUPC without it becoming a regular MVC meeting. Therefore, MVC Counsel has suggested that if more than eight members want to attend LUPC, a way to handle this issue needs to be determined. Suggestions include drawing lots for those interested in attending, having a one Commissioner from each town, or perhaps having two separate LUPC meetings.

There was a discussion about having more than eight Commissioners at an LUPC meeting.

- **Leonard Jason** asked to read the opinion from Counsel. It has never been an issue in the past.
- **Linda Sibley** said Counsel said that the issue is that if LUPC has a quorum, it becomes a Commission meeting, and if some Commissioners are missing, it could jeopardize their eligibility.
- **Brian Smith** suggested scheduling LUPC at 6:00 p.m. on the same night as the MVC meeting so that if more than eight Commissioners attend it can become part of the MVC regular meeting.

### 5.2 Arts MV Update

**Christine Flynn** said two weeks ago Arts MV held their annual meeting and there were over fifty attendees. On Tuesday April 15, 2014 the Island hosted a state legislative delegation for Tourism, Arts, and Cultural Development. The Island had a great representation at the meeting and she recognized and she thanked Joan Malkin and Fred Hancock for attending. Several selectmen also attended the meeting and there was a great attendance in general. Next week a site visit will be hosted for the Mass Cultural Committee in Tisbury in relation to the proposed Vineyard Haven Harbor Cultural District. Private and public participation in the cultural economy is recognized as being important and the Vineyard is primed to be moving forward in that effort.

### 5.3 PED Report

**Christina Brown**, PED Chairman said there is now a Scenic Roads Committee comprised of members of the MVC and appointees of boards of selectmen. The first meeting will be April 30, 2014. The committee will review how to continue to keep the roads scenic and safe.

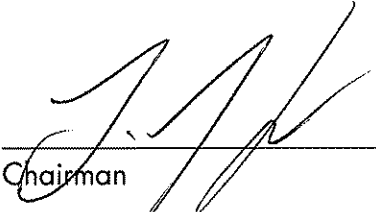
**Madeline Fisher** added that town planning boards have been approached about the Scenic Roads Initiative and it has been well received.

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

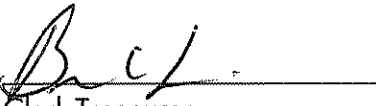
### DOCUMENTS REFERRED TO DURING THE MEETING

- Minutes of the Commission Meeting – Draft, Held on March 27, 2014
- Minutes of the Commission Meeting – Draft, Held on April 3, 2014
- Martha's Vineyard Commission DTI #170-M3 Edgartown Lofts MVC Staff Report 2014-04-17

- Edgartown Lofts Applicants Offers Dated April 16, 2014
- Edgartown Lofts Applicants Offers Dated April 16, 2014 and Revised April 17, 2014
- Edgartown Lofts Applicants Energy Policy from Domus Architects-Builders, Dated February 20, 2014
- Table 1. Office of Housing and Urban Development's Area Median Income (AMI) Limits for Dukes County, FY 2014
- Parking Plan and Exterior Common Area Stairways Plan, Edgartown Lofts Revised, Dated April 12, 2014
- Edgartown Lofts Elevations Building C and D
- Floor Plan Building C Edgartown Lofts Revised Dated April 17, 2014
- Correspondence Edgartown Lofts as of 5:00 p.m. April 17, 2014
- Transportation Study for Proposed Apartments in Edgartown, Edgartown Lofts, Prepared for DRI 170-M3 Edgartown Lofts by the Martha's Vineyard Commission, Dated April 17, 2014

  
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 Chairman

5-9-14  
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 Date

  
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 Clerk-Treasurer

5-21-14  
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 Date