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## Martha's Vineyard Commission

### DRI #720 Martha's Vineyard Hospital - Navigator Homes MVC Staff Report – 2022-7-26 UPDATED

#### 1. DESCRIPTION

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- 1.1 **Owner:** Martha's Vineyard Hospital Inc.
- 1.2 **Applicant:** Martha's Vineyard Hospital (Geoghan Coogan, agent)
- 1.3 **Project Location:** 490 Edgartown-Vineyard Haven Road (Map 11, Cut B, Block 243), Edgartown (25.9 acres per assessor data, 27.53 per applicant)
- 1.4 **Proposal:** Construction of a skilled nursing facility and workforce housing.
- 1.5 **Zoning:** Residential (R20)
- 1.6 **Local Permits:** Building Permits, Special Permit, Board of Health approval for septic system, zoning relief for number of parking spaces and for setbacks resulting from the proposed subdivision, water department approval, fire inspections.
- 1.7 **State Permits:** MESA/NHESP, nursing home license
- 1.8 **Surrounding Land Uses:** Well-developed residential areas in the R20 district, including Jerganville and Ocean Heights; vacant lots abutting to the south and east. The project site includes Natural Heritage and Endangered Species Program (NHESP) priority habitat and is within the Island Road District of Critical Planning Concern (DCPC), with a Special Way along the southern boundary.
- 1.9 **Project History:** The proposal has been developed over the last several years by the Martha's Vineyard Hospital and Navigator Homes of Martha's Vineyard, working with Healthy Aging MV (the Island's elder advocacy organization) and other groups. In 2021, Edgartown voters approved an amendment to the town Zoning Bylaw ([Article XV – Senior Residential Development](#)), which allows the planning board to grant special permits for senior residential developments, including skilled nursing facilities, on properties that meet the following requirements:
  - 1. *At least two acres of land;*
  - 2. *Minimum of 100 feet of frontage on a public way; and*
  - 3. *Public water and/or public wastewater service available to the site.*
- 1.10 **Project Summary:** The proposal is to develop a skilled nursing facility for elders, along with workforce housing for hospital workers, including nursing staff for the facility. The facility would replace the Windemere Nursing and Rehabilitation Center, which is currently located at the Martha's Vineyard Hospital in Oak Bluffs. The project would include four building types as shown below.

Building Type	Number of Buildings	Units per Building	Bedrooms per Building	Footprint per Building	Floor Area per Building	Uses
"Green House"	5	13 (one with 14)	13 (one with 14)	11,079 ft <sup>2</sup>	11,079 ft <sup>2</sup> (one floor)	Skilled nursing facility; shared living, dining, and function rooms; offices and staff areas; spa and care areas; patio and porch
Workforce Duplexes	4	2	4	1,186 ft <sup>2</sup>	2,372 ft <sup>2</sup> (two floors)	Workforce housing
Workforce Townhouses	1	8	20	5,102 ft <sup>2</sup>	10,107 ft <sup>2</sup> (two floors)	Workforce housing
Workforce Apartments	2	16	20	6,939 ft <sup>2</sup>	13,659 ft <sup>2</sup> (two floors)	Workforce housing

The project would create a total of 66 skilled nursing units (13-14 private bedrooms per building); and 48 workforce housing units with a total of 76 beds. The total floor area of all buildings would be 37,217 ft<sup>2</sup>, with a total footprint of 24,306 ft<sup>2</sup>.

The property would be subdivided into two lots (about 15 and 13 acres) in order to comply with USDA funding requirements and potentially qualify for a variance from the town Board of Health for the number of bedrooms, as described in section 3.1 below. The lot with workforce housing would be owned by the hospital, and the lot with the Green House buildings would be owned by Navigator Homes, which would operate the facility under a model of skilled nursing known as the [Green House Project](#). Conveyance of the Navigator Homes lot would be subject to various conditions under which the property would revert back to the hospital.

The applicant has highlighted the following potential benefits of the project:

- *Allows for a new world-class skilled nursing community in a non-traditional homelike residential setting to be available to island residents and their families.*
- *Provides the Island of Martha's Vineyard a reliable long-term solution for the existing and future needs of elder skilled nursing care by constructing an energy-efficient, modern skilled nursing community, designed under the current building codes and Mass. DPH standards of design and licensing.*
- *Takes advantage of being co-located with new workforce apartments to allow for and support convenient and available staffing needs for the Green House homes.*
- *Avoids the excessive expenditure of funds to modify/rehabilitate the existing Windemere nursing facility, which would not result in additional skilled nursing capacity.*
- *Alleviates the patient support and financial burden on senior residents and their families for expenses related to travel to off-island SNF [skilled nursing facility] options (at possibly significant distance away), including other more costly private facilities.*
- *The delivery of community skilled nursing care on Martha's Vineyard in the model of The Green House Project, has been called a "Development of National Significance" by the Massachusetts Office of Elder Affairs. In utilizing this innovative, "real-home" approach, Green House living will result in a vastly improved quality of life for the growing number of elders on Martha's Vineyard requiring skilled nursing care.*

A project narrative, including project history, is available [here](#).

## 2. ADMINISTRATIVE SUMMARY

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- 2.1 **DRI Referral:** Edgartown Planning Board, Jan. 28, 2022
- 2.2 **DRI Triggers:** 3.1b (Commercial development of 3,500+ ft<sup>2</sup>), 3.1e (Outdoor commercial space of 6,000+ ft<sup>2</sup>), 3.1f (Change in use or intensity of use), 3.1h (Parking for 10+ vehicles), 6.1a (Private assembly place of 3,500+ ft<sup>2</sup>); mandatory review
- 2.3 **LUPC:** June 13, 2022
- 2.4 **Public Hearing:** August 4, 2022

## 3. PLANNING CONCERNS

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- 3.1 **Water and Wastewater:** The property is within the watershed of Sengekontacket Pond, which is impaired. The applicant had originally planned to tie into the town sewer, but the state Department of Environmental Protection (DEP) indicated that the town must first develop its Comprehensive Wastewater Management Plan, which may take 1-2 years. In response, the applicant has proposed NitROE denitrifying septic systems, which are guaranteed by the vendor to reduce wastewater nitrogen output to 8 mg/L. This will entail subdividing the property so that each new lot could potentially use the septic systems to qualify for a variance from the town Board of Health regarding the number of bedrooms. The lot with workforce housing would be owned by the hospital, and the lot with the Green House buildings would be owned by Navigator Homes. The subdivision is also needed to comply with requirements for USDA financing for the project. The design and permitting process with the Board of Health is ongoing.

The adjusted nitrogen load limit for the property, according to the MVC Water Quality Management Policy, is 55.61 kg/year. Proposed wastewater generation is estimated at 11,284 gallons per day (GPD), or 90 GPD per bedroom for the Green House buildings and 167 GPD per workforce unit. Accounting for the estimated wastewater flow, runoff and landscaping, and the denitrifying septic system, the project is estimated to generate a total of 171.17 kg/year, which is 115.56 kg/year above the limit. To mitigate the overage, the applicant will need to propose mitigation, which may include installation or retrofits of about 28 septic systems elsewhere in the watershed.

- 3.2 **Stormwater and Drainage:** The middle part of the development would sit lower than the surrounding grade to the east and west. A grading and drainage plan dated 7/28/22 shows the grade dropping from about 53 ft to 46 ft above sea level on the western edge of the development envelope, and from about 61 ft to 46 ft on the eastern edge. The proposed drainage system would collect runoff from the roofs and road, directing it to various infiltration chambers around the buildings, including larger overflow chambers and bioretention areas at the front and back of the development. The applicant's engineer has stated that the system is designed for at least a 25-year storm, in line with the MVC Water Quality Management Policy.

The applicant has stated the project will require a National Pollutant Discharge Elimination System (NPDES) permit from the EPA, and a Stormwater Pollution Prevention Plan (SWPPP) to be prepared prior to construction.

- 3.3 Habitat and Environment:** The project site is currently undeveloped and includes about 17.64 acres of Natural Heritage and Endangered Species Program (NHESP) priority habitat, which begins about 560 feet south of the road and continues past the southern and eastern property boundaries. The applicant has calculated the area of NHESP disturbance as about 4.51 acres. Following consultation with NHESP staff in June and July, the mapped habitat area had been increased to include areas of pitch pine, and the project was revised to reduce habitat fragmentation. Staff recommends that an NHESP determination letter be provided prior to the close of the public hearing.

The area is also listed as BioMap 2 Core Habitat by the state, and most of the lot, along with land to the south and east, is considered “Exceptional” open space according to the MVC 2005 Open Space Guideline Data.

Most of the proposed exterior trim and siding materials are PVC or fiber cement, which have potential environmental impacts associated with manufacturing, break-down, and disposal.

An environmental report was prepared on behalf of Navigator Homes of Martha’s Vineyard and submitted to the USDA Rural Development Program for review, since the USDA would be the primary lender for the project, and federal actions require such review under the National Environmental Policy Act. The report includes an environmental impact analysis and concludes that there would be no significant environmental impacts. The report was submitted prior to revisions to the project, although the applicant has stated that no amendments to the report are required.

- 3.4 Traffic and Transportation:** The project site is within the Island Roads District of Critical Planning Concern (DCPC), with a Special Way along the southern boundary. Access would be via a new two-way road that branches off to the duplex buildings, circles around the Green House buildings, and provides access to the workforce apartments and townhouses at the rear of the site.

Plans show a total of 121 parking spaces (about one per resident), including seven in front of each Green House building. The largest share of spaces (70) would be located in a parking lot at the rear of the site. The number of parking spots is the same as required by town zoning.

Crosswalks are proposed at four locations within the development, as well as a new crosswalk on Edgartown-VH Road (near the VTA bus stop), and another where an existing shared-use path crosses the access road. A 5 ft sidewalk would run along the access road, with additional 5 ft walkways connecting the Green House buildings where they form a courtyard. Bike racks are shown at four locations on the property.

A Traffic Impact Assessment (TIA) by Vanasse and Associates was completed in Oct. 2020, prior to the LUPC’s discussion and approval of the traffic study scope of work in August 2021, and

resubmitted as part of the current application. The TIA makes the following conclusions and recommendations:

Conclusions:

1. *Using trip-generation statistics published by the Institute of Transportation Engineers (ITE), the Project is expected to generate approximately 356 vehicle trips on an average weekday (two-way, 24-hour volume), with 30 vehicle trips expected during the weekday morning peak-hour and 43 vehicle trips expected during the weekday evening peak-hour;*
2. *The Project will not have a significant impact (increase) on motorist delays or vehicle queuing over Existing or anticipated future conditions without the Project (No-Build conditions), with all movements at the study intersections shown to continue to operate at a level-of-service (LOS) C or better under all analysis conditions. For context, we note that an LOS of "D" or better is defined as "acceptable" operating conditions;*
3. *No apparent safety deficiencies were noted with respect to the motor vehicle crash history at the study area intersections; and*
4. *Lines of sight at the Project site roadway intersection with Edgartown-Vineyard Haven Road were found to exceed the recommended minimum distance for safe and efficient operation based on the appropriate approach speed.*

The study also made various recommendations in regard to access and transportation demand management strategies. A supplement to the traffic study was provided in May 2022 in order to address the earlier LUPC and staff concerns, including potential impacts on the Triangle to the east of the project site, photos showing the site distances, adjusted traffic volumes to account for Covid and the MV growth rate, incorporation of any project revisions, projected onsite workers and visitors, and discussion of the nature of trips and directional traffic to and from the site. Vanasse and Associates has stated that the supplemental information did not alter the overall findings or recommendations from 2020. The LUPC authorized a peer review of the TIA on June 13, 2022.

An emergency access plan has been provided.

- 3.5 Island Housing Needs:** The project would create 66 skilled nursing beds, which is an increase from the 61 currently offered at Windemere, although only 28 of the beds at Windemere are currently filled. The applicant has stated that every Windemere resident at the time the Navigator Homes facility opens will be welcome to relocate to the new facility.

As with current Windemere residents, the Green House residents could pay through Medicare or Medicaid, or out of pocket. According to the applicant, 86% of current Windemere residents have annual incomes of \$24,000 or less (required for Medicaid), with an average age of 87. (People over 65 or with disabilities qualify for Medicare.) The applicant has stated that 75% of the Green House residents will meet the criteria for either Medicaid or Medicare eligibility, and that many Island residents qualify for both. The hospital expects that not more than 50% of residents will pay out of pocket. The applicant has stated that the expected daily rates would be \$328 for Medicaid residents, \$689 for Medicare residents, and \$515 for private-pay residents, with private-pay funds used to

make up the shortfall from Medicaid reimbursements. The following breakdown of current and projecting residency was provided by the applicant:

	Windemere (current)	Navigator (future)	Increase
Nursing home care			
Medicaid	23 (82%)	33 (50%)	10
Private pay	4 (14%)	20 (30%)	16
Skilled nursing			
Medicare	1 (4%)	13 (20%)	12
Private insurance	0	0	0
<i>Totals</i>	<i>28</i>	<i>66</i>	<i>38</i>

The applicant notes a 2020 market demand study (updated in 2022) showing a demand for up to 122 skilled nursing beds on the Island, but under state and federal law, healthcare providers may not restrict admission to Island residents only.

The project would create 48 workforce housing units with 76 beds, including 14 units (30 beds) for Navigator Homes employees. According to the Edgartown bylaw, the units may be occupied by employees of the skilled nursing facility, or of “another assisted living, medical services, or emergency services entity on Martha’s Vineyard.” The applicant has stated that the 48 workforce units would replace about an equal number of the 92 existing units offsite that the hospital currently leases or owns as workforce housing.

The applicant has provided the following breakdown of current hospital and Navigator Homes employees in terms of their personal salaries (percent of Area Median Income), and how the proposed workforce units are expected to correspond to those salary ranges. However, it is not clear whether the units will be restricted to the incomes shown here.

Employee salary as a % of AMI	MVH and Navigator Homes		Proposed workforce units		Green House Bedrooms
	Full-time employees	Percentage	Units	Percentage	
Less than 30%	-	0%	-	0%	40
31-50%	15	3%	3	6%	-
51-80%	139	32%	20	42%	-
81-100%	84	19%	12	25%	-
100-120%	46	11%	6	13%	-
121-150%	45	10%	3	6%	-
Over 150%	108	25%	4	8%	26
<i>Total</i>	<i>437</i>	<i>100%</i>	<i>48</i>	<i>100%</i>	<i>66</i>

The applicant plans to establish a formal housing agreement (including conditions of eligibility, terms of duration, amount of rent net subsidy, and responsibilities of tenant and landlord), and has discussed elements of the agreement with the Dukes County Housing Authority, including the

awarding of units by lottery. The applicant notes that in recent years the hospital has needed to hire more temporary staff because of the housing shortage, so some of the new units may be occupied by temporary staff. There will likely be an onsite housing manager.

- 3.6 Character and Identity:** The proposed buildings will form a campus, with the smallest buildings in terms of floor area (duplexes) clustered near the front of the site, the largest (Green House buildings) clustered near the middle of the site, and the apartment buildings and townhouses toward the back of the site. Proposed roof heights are 31' for the apartment buildings, 30'9" for the townhouses, 30'3" for the duplexes, and 27'5" for the Green House buildings. Most of the exterior trim and siding materials are shown as PVC, vinyl, or fiber cement materials designed to resemble wood. Floor plans, elevations, and renderings have been provided.
- 3.7 Energy:** The applicant plans to incorporate rooftop solar on the three workforce housing buildings at the rear of the site, with an estimated output of 150 KW. (A ground-mounted array as previously proposed is no longer possible due to the expanded NHESP area.) The applicant has stated that the Green House buildings would be solar-ready.

The proposed energy sources for the buildings are electric heat pumps for heating and cooling, hot water, and cooking appliances. The applicant has not yet determined whether propane would be used for cooking and laundry in the Green House buildings, although electric power is preferred. Site plans also show a total of 19 electric vehicle charging stations, distributed around the property. As proposed, the Green House buildings would have a diesel generator for backup.

According to the applicant, the project will comply with the Massachusetts Stretch Code, and is required by the MA Determination of Need Program to be designed and operated following LEED Silver Certifiable standards at minimum, with documentation provided to the Department of Public Health. The workforce housing would be constructed and operated according to LEED Building Design and Construction (BD+C) standards.

- 3.8 Social Development:** A Market Feasibility Analysis prepared by Chi Partners, LLC in April 2020 (updated Jan. 2022), notes that the proposal is modeled after the Green House Project, a nonprofit that aims to create institutional care facilities with a higher quality of life for residents and a focus on relationships and community. The facility will resemble a neighborhood with houses and outdoor spaces while offering care to people with healthcare and cognitive needs. The analysis includes various demographic data for the Island, including the rapidly aging population, and indicates a demand for between 112 and 120 nursing beds (including private-pay, Medicaid, and Medicare), which exceeds the current supply. The proposed project would increase the number of skilled nursing beds on the Island from 61 to 66, and potentially offer those residents a higher quality of life than they might experience at Windemere. (See section 3.4 above.) The applicant has stated that the facility will be designed and constructed in compliance with DPH requirements for skilled nursing facilities.
- 3.9 Impact on Abutters:** The project site abuts seven residential properties with houses to the west (Teaberry Lane), and 11 vacant lots to the east and south (Halls Gate Way). Site plans show required

setbacks of 100 feet to the west lot line, and 50 feet on the east and north lot lines. The proposed Green House buildings would be about 200 feet from the west lot line, 195 feet from the east lot line, and 242 feet from the north lot line. Those distances had been increased largely in response to abutter concerns during the Planning Board review. The duplex units at the front of the site would have a minimum distance of about 70 feet from Edgartown-VH Road, 90 feet from the east lot line, and more than 300 feet from the west lot line.

The middle part of the site would be lower than the abutting lots on Teaberry Lane and Halls Gate Way, with existing woods in between and additional landscaping along the new access road that circles the development, helping to reduce noise and visual impacts. (The eastern part of the development would also have a retaining wall along the access road.)

**3.10 Lighting and Landscape:** Lighting and landscape plans have not been provided.

**3.11 Construction Management:** The applicant anticipates construction beginning sometime in the fall of 2022. Construction would likely occur in phases, starting with the skilled nursing facility, but a construction schedule is pending final design and approvals.