

Adam Turner  
Martha's Vineyard Commission  
*VIA EMAIL*

December 6, 2023

Re: DRI 730 - Southern Tier Affordable Housing

Adam:

Southern Tier LLC submitted a request to modify the February 9, 2023 DRI 730 decision on September 11, 2023. In this request, we requested approval to 1) construct the additional 15 apartments originally contemplated as Phase II, 2) substitute Boral trim for the Red Cedar trim detailed in the architectural drawings, and 3) modification of Conditions #10 and #11 from the written decision due to a change from septic to sewer.

Due to the advancement of the Town of Oak Bluffs sewer expansion project, we are able to bring the 15 units contemplated as Phase II online in conjunction with Phase I. Completing this project as in a single phase will make the building of this critically needed affordable housing more efficient and cost effective. The new building type is consistent in style with the other structures proposed for the development and has been approved by the Town of Oak Bluffs Zoning Board of Appeals.

We are also asking to use Boral trim instead of red cedar. This modification will save the project over \$350,000. These funds will offset a significant amount of the solar array costs planned for this development.

Lastly, we are requesting a modification of Conditions #10 and #11 from the original decision. By moving to town sewer, the nitrogen calculations using an innovative and alternative (I/A) septic system originally contemplated for Conditions #10 and #11 no longer represent the nitrogen impact of the development. Updated calculations provided to the MVC as part of this modification request show a reduction of nitrogen output for the development from 47.89 kg N/yr to 29.12 kg N/yr bringing the amount to be mitigated down from 32.18 kg N/yr to 13.41 kg N/yr. Additionally, at the time of the original decision, the potential to connect traditional septic system installations to town sewer was not possible. That is not the case anymore. Due to these changes, we are suggesting the following language to replace Conditions #10 and #11.

10. Southern Tier shall select from the following options for Water Quality mitigation:

Option 1

To mitigate the excess nitrogen generated by the project (estimated at 13.41 kg/year), the Applicant shall work with the town of Oak Bluffs to permanently restrict a separate, potentially developable property within the Sengekontacket Pond watershed from any development that would contribute nitrogen to the watershed. This may be achieved by placing a permanent

conservation restriction (or other permanent legal restriction) on the property, provided the property currently contributes no nitrogen. A final mitigation plan, including the location and size of the property, and the proposed method of restriction, shall be subject to LUPC review and approval prior to receipt of a Building Permit. The identified property shall be restricted accordingly, with documentation as requested by MVC staff, prior to receipt of a Certificate of Occupancy.

#### Option 2

To mitigate the excess nitrogen generated by the project (estimated at 13.41 kg/year), the Applicant shall at its expense connect either 12 bedrooms in the Sengekontacket Pond watershed to KleanTu septic systems or 9 bedrooms to town sewer. The selected homes shall be ones that currently have standard Title 5 or failed septic systems, which will be replaced by either the KleanTu septic system or town sewer. A final plan for the septic conversions, including the location of each property and projected nitrogen reduction, shall be submitted to the LUPC for review and approval prior to receipt of a Building Permit. The connections shall be completed prior to receipt of a Certificate of Occupancy.

11. Testing results for the system as outlined above, and water use records for the project, shall be provided to the MVC annually for three years. If the documented nitrogen reduction offsite does not amount to at least 13.41 kg/year, then further mitigation may be required by the LUPC.

We appreciate your and the commission's continued support for this important project and request the commission approves this request in whole.

Sincerely,

Craig Nicholson

Cc: Lucy Morrison  
Rich Saltzberg