

Re 34045 Ave
map 11 pcl 156

8/2/22

DEMOLITION PERMIT

APPLICABLE

To whom it may concern,

On Tuesday Aug 2, 2022 I met with John Holloy and Michael Sawyer to review the status of the house located on the above cited address. The owner of the property ~~was~~ wished to ascertain whether an order to tear down could be issued. ~~that~~

Section 115-117 of the ~~existing~~ ²⁰¹⁵ Building Code 2015 International Existing Building Code Authorizes the Building official to make an assessment as to whether a building or equipment is in Imminent Danger of failure or collapse. In examining the structure I am of the opinion that this structure at this time is NOT in danger of imminent failure or collapse, however I am ordering that the building be secured to prevent unlawful entry ~~to the~~ ^{to the} building. All the openings shall be boarded up to prevent individuals from unwanted entry. This shall be accomplished within 24 hours of receipt of this notice or no later than 4pm Aug 7, 2022. Your anticipated cooperation in this matter is appreciated.



**DEMOLITION PERMIT
APPLICATION**
TOWN OF OAK BLUFFS
BUILDING DEPARTMENT
Ph 508-693-3554 Fax 508-693-5375

Assessor's Information: Map 11 Parcel 150-0 App. # _____ Permit # _____
Assessor Initials _____ REQUIRED Fee: \$500.00 Check # _____

THIS APPLICATION MUST BE **COMPLETE** AND PERMIT ISSUED BEFORE STARTING ANY WORK

Owner of Property: Flowerwood LLC Address: C/O Sawyer Realty Group

Contact Info: P O Box 1405 VII Hme. (508) 693-1214 Cell (508) 317-1214

DEMOLITION ADDRESS: 3 Uncas Ave, OB
Date of Demolition: TBD Directions: corner of Circuit Ave and Uncas Ave.

Residential Commercial Wetlands* Yes No

EST. VALUE OF EXISTING STRUCTURE: \$ 0 EST. COST OF DEMO \$ 88K - 117K
REQUIRED

* Please Note: ANY building or portion thereof that is 100 years old or greater, regardless of location in the town, requires you to file a Demolition Delay Form. If there is any doubt as to the age of the structure, please call the Oak Bluffs Historic Commission at 508-693-0563.

Demolition Contractor: Daniel Rogers License#: _____ Exp: _____

Address: P.O. Box 1801, 63 Rogers Way, OB Phones: (508) 693-8078

Debris will be disposed By: Daniel Rogers Excavating AT: Bruins
Licensed Disposal Contractor Lic. # _____ Name of Facility

Has the Disposal Facility been notified of the pending debris disposal? YES? NO?

Attach Consent Form

I declare under penalties of perjury that the statements herein contained are true and correct to the best of my knowledge and belief. I understand that any false answer(s) will be just cause for denial or revocation of my license and for prosecution under Chapter 268 Section 1.

Continued on Back

RECEIVED

DEC 18 2018

O.B. BUILDING DEPT.

Health Department

Does The Proposed Demolition Structure or Site Contain:

ASBESTOS: IN ANY FORM Yes No If Yes, Please Comply With The Requirements Below, Answer All Of The Questions, And Contact The Health Inspector Immediately.

1. Applicant or Contractor Must Comply with Mass. DEP CMR 7.09 and Submit an AQ-06 Notification and Provide the Decal or Sticker Number Issued by Mass. DEP
2. **RODENTS:** Any structure proposed for demolition must be inspected by a licensed, certified inspector for Rodents or Pests of any kind and a report submitted to the Health Inspector.
3. As per MGL Chpt. 40:Sec 54 Complete Disposal Information on back.
4. Will the propose demolition, construction, or site activity Damage, Break, Crush or Pulverize any Asbestos? YES? NO?
5. On completion of Construction / Demolition activity, will the site be Free of Asbestos? YES? NO

Applicant's Signature: [Signature] Date: 12/18/18

Approved By: [Signature] Date: 12/18/18

PLEASE USE THE SPACE BELOW FOR ADDITIONAL INFORMATION OR ATTACH PAGES TO THE BACK OF THIS APPLICATION

Please be advised that the above mentioned property was tested for asbestos for demolition purposes on December 18, 2018. There was no rodent activity noted or The building was tested for asbestos, and the tests came back positive. We have already remediated the issue by having a licensed asbestos removal company come and take care of it. There is no more asbestos at the property.



OAK BLUFFS DEMOLITION DELAY BEHIND APPLICATION

DATE: 12/18/18
OWNER'S NAME: [Handwritten]
MAILING ADDRESS: [Handwritten]
PHONE: [Handwritten] FAX: [Handwritten] EMAIL: [Handwritten]

December 18, 2018

Mike Sawyer
3 Uncas Ave
Oak Bluffs, Ma 02557

Re: Rodent Baiting

To Whom It May Concern:

Please be advised that the above mentioned property was baited for rodents for demolition purposes on December 18, 2018. There was no rodent activity noted or observed at this time. Feel free to contact us at 508-759-2200 with any questions.

Brian Jung
Brian Jung
Asst. Office Manager
Griggs & Browne

Rhode Island:
175 Niantic Avenue
Providence, RI 02907
401-944-3400
1-800-924-8886
Fax 401-943-8083

Massachusetts:
140 Broclon Avenue
Abington, MA 02351
781-871-0015
1-800-244-1012
Fax 781-871-5584

Cape Cod:
203 Main Street
Buzzards Bay, MA 02532
508-759-2200
1-800-339-2212
Fax 508-759-5284

Connecticut:
152 Cross Road
Waterford, CT 06385
860-444-1388
1-800-962-3296
Fax 860-447-9063
Business Registration B-1116

OAK BLUFFS HISTORICAL COMMISSION

OAK BLUFFS DEMOLITION DELAY BY-LAW APPLICATION

DATE 12/18/16
OWNER'S NAME Flowerwood LLC
MAILING ADDRESS Po Box 1468, Vineyard Haven, MA 02568
PHONE (508)317-0114 FAX _____ EMAIL mike@flowerwoodgroup.com

Applicant (if different than owner) Mike Sawyer
IMPORTANT: If the applicant is not the owner of the premises upon which the building is situated, the owner **MUST** indicate on or with this application his/her consent to the filing of the application.

Mailing Address same as above
Phone " FAX " Email "

STREET ADDRESS OF PROPERTY 3 Venice Ave
MAP 11 PARCEL 156-0

DESCRIPTION OF BUILDING TO BE DEMOLISHED, INCLUDING PHOTOS OF EXTERIOR AND INTERIOR
Single family residence and 1 bd guest house

Date originally constructed (as stated in assessor's records) _____

Reason for demolition Building is borderline falling over. We have plans for developing the property.

Engineer's report attached _____ (check here and include)

Brief description of the proposed reuse, reconstruction or replacement, including plans, elevations and any other material that will describe the applicant's plans
Plans are to build 8 workforce housing units for year-round and seasonal workers. If we can get the approval, we are also interested in putting in a drive-through bank to help fund the housing component of the project.

Editable Fiscal Year 2020

Billing

Map Parcel Ext. Type Loc 1 - Loc 2 Location PerKey SH Val
 11 156 0 R 3 UNCAS AV 0 8708

Owner REEVES LARKIN B. TR
 Co-Owner LARKIN B. REEVES FAMILY TRUST
 Mailing Address 73 LIGHTHOUSE ROAD
 Address AQUINNAH, MA 02535

Acres 0.170 Book 1387
 Sq. Feet 7,405 Page 386
 Wastewater? Deed Date 10/02/2015
 Old PID 1746 Probate
 2nd hme Plan Plan Date

Care Of Res Ex
 Hide Lnk SH Addr

Assessed Value 497,700
 Value Credits 0
 Exemptions 0.00
 Betterments 0.00
 Abatements 0
 Multi-Lot Parcel No

Property Type Class: 1090 (MULTIPLE HSES)

State Class	ID	Assessed Value	Value Description
1090	1	290,400	LAND
1090	2	207,300	BUILDING

FY 2020 497,700
 FY 2019 497,700
 \$ Change 0 A/S Ratio N/A
 % Change 0.00% Time Adj Ratio N/A

Transfer History

Grantor	Grantee	Divisor of Record	Transfer Date	Type	Price	Book	Page	Note
STEWART JOSEPH T JR	REEVES LARKIN B. TR	2020	10/02/2015	QS	475,200	1387	386	
N/A	STEWART JOSEPH T JR			99	0	259	196	

View Mode

251 d 11 w



DEMOLITION PERMIT APPLICATION
 TOWN OF OAK BLUFFS
 BUILDING DEPARTMENT
 PA. 508-693-3254 Fax 508-693-3373

Assessor's Information: Map 11 Parcel 64-0 App. # _____ Permit # _____
 Assessor Initials REQ/18 Fee: \$500.00 Check # _____

THIS APPLICATION MUST BE COMPLETE AND PERMIT ISSUED BEFORE STARTING ANY WORK

Owner of Property: Flowers LLC Address: 116 S. Water St.
116 S. Water St. Oak Bluffs, MA 01530

Contact Info: P O Box 1408 Vt. Hme. (508) 646-1720 Cell (508) 277-1204

DEMOLITION ADDRESS: 3 Union Ave. CB
 Date of Demolition: TBD Directions: corner of Union Ave and Union Ave

Residential Commercial Wetlands* Yes No

EST. VALUE OF EXISTING STRUCTURE: \$ 0 EST. COST OF DEMO \$ 80K - 217K
REQUIRED

* Please Note: ANY building or portion thereof that is 100 years old or greater, regardless of location in the town, requires you to file a Demolition Delay Form. If there is any doubt as to the age of the structure, please call the Oak Bluffs Historic Commission at 508-693-0563.

Demolition Contractor: Daniel Rojas License #: _____ Exp: _____

Address: P.O. Box 1231, 63 Rogers Way, CB Phones: (508) 693-8078

Debris will be disposed By: Daniel Rojas Excavating AT: Brunes
Licensed Disposal Contractor Lic. # Name of Facility

Has the Disposal Facility been notified of the pending debris disposal? YES? NO?

Consent Form
 I, the undersigned, hereby certify that the statements herein contained are true and correct to the best of my knowledge and belief. I understand that any false answer(s) will be just cause for denial or revocation of my license and for the imposition of a fine of \$250.00.

RECEIVED
 DEC 18 2018
 O.B. BUILDING DEPT.

Continued on Back

111 P150
 11/18/18

RECEIVED
DEPARTMENT OF ENVIRONMENTAL AFFAIRS
DEMOLITION UNIT
100 WATER STREET
BOSTON, MA 02109
TEL: 617-725-1000
FAX: 617-725-1001
WWW.DEA.MA.GOV

Department

The Proposed Demolition Structure or Site Contain:

ASBESTOS: IN ANY FORM Yes No If Yes, Please Comply With The Requirements Below, Answer All Of The Questions, And Contact The Health Inspector Immediately.

1. Applicant or Contractor Must Comply with Mass. DEP CMR 7.09 and Submit an AQ-06 Notification and Provide the Decal or Sticker Number Issued by Mass. DEP
2. RODENTS: Any structure proposed for demolition must be inspected by a licensed, certified inspector for Rodents or Pests of any kind and a report submitted to the Health Inspector.
3. As per MGL Chpt. 40:Sec 54 Complete Disposal Information on back.
4. Will the propose demolition, construction, or site activity Damage, Break, Crush or Pulverize any Asbestos? YES? NO?
5. On completion of Construction / Demolition activity, will the site be Free of Asbestos? YES? NO

Applicant's Signature: [Signature] Date: 12/18/18

Approved By: [Signature] Date: 12/19/18

PLEASE USE THE SPACE BELOW FOR ADDITIONAL INFORMATION OR ATTACH PAGES TO THE BACK OF THIS APPLICATION

The building was tested for asbestos, and the tests came back positive. We have already remediated the issue by having a licensed asbestos removal company come and take care of it. There is no more asbestos at the property.

M11 P150
2/11/18

DEMOLITION UNIT
100 WATER STREET
BOSTON, MA 02109
TEL: 617-725-1000
FAX: 617-725-1001
WWW.DEA.MA.GOV

100 Water Street
Boston, MA 02109
Tel: 617-725-1000
Fax: 617-725-1001

OAK BLUFFS HISTORICAL COMMISSION

OAK BLUFFS DEMOLITION DELAY BY-LAW APPLICATION

DATE 12/16/18
OWNER'S NAME Flowerwood LLC
MAILING ADDRESS Po Box 1408, Vineyard Haven, MA 02568
PHONE (508) 337-2114 FAX _____ EMAIL mike@sswagcreativitygroup.com

Applicant (if different than owner) Mike Sawyer
IMPORTANT: If the applicant is not the owner of the premises upon which the building is situated, the owner MUST indicate on or with this application his/her assent to the filing of the application.

Mailing Address same as above
Phone " _____ FAX " _____ Email " _____

STREET ADDRESS OF PROPERTY 3 Wines Ave

MAP 11 PARCEL 156-0

DESCRIPTION OF BUILDING TO BE DEMOLISHED, INCLUDING PHOTOS OF EXTERIOR AND INTERIOR

Single family residence and 1 bed guest house

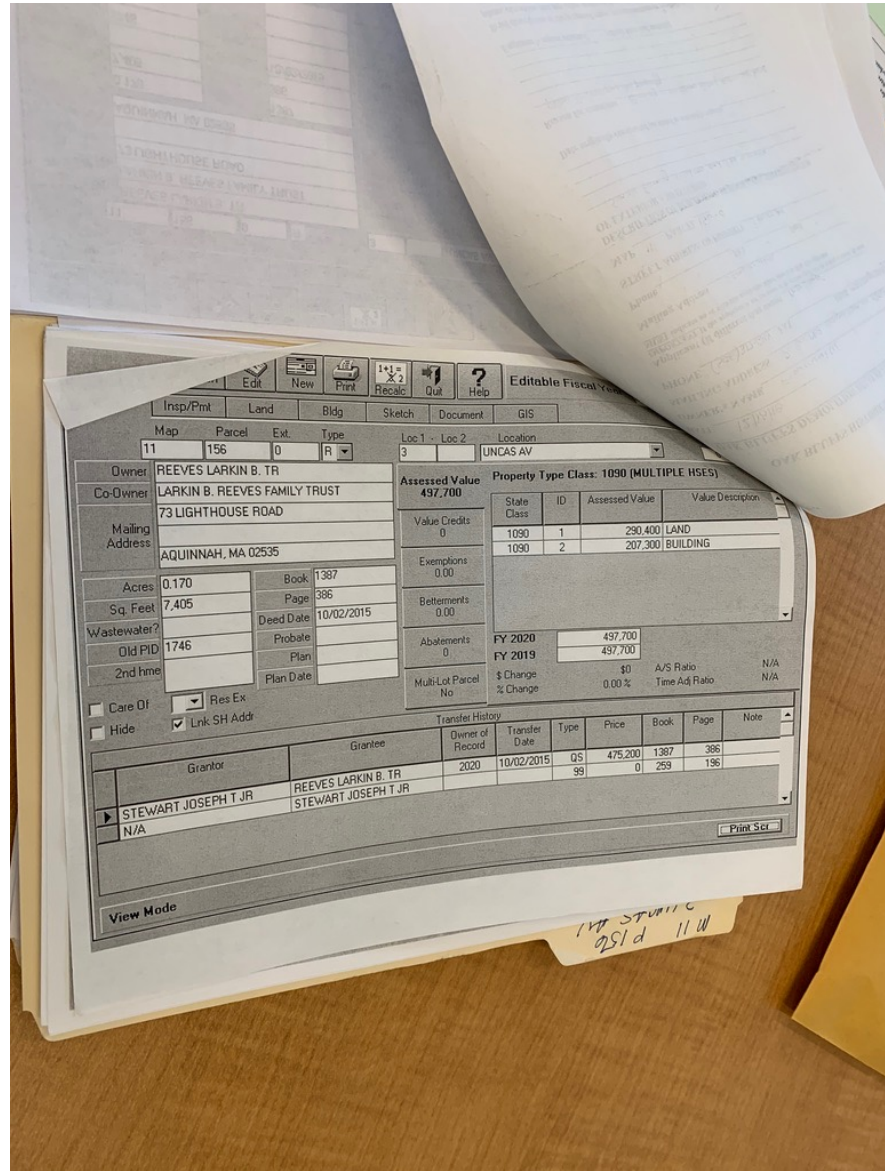
Date originally constructed (as stated in assessor's records) _____

Reason for demolition Building is bordering falling over. We have plans for developing the property

Engineer's report attached _____ (check here and include)

Brief description of the proposed reuse, reconstruction or replacement, including plans, elevations and any other material that will describe the applicant's plans
Plans are to build 8 workforce housing units for year-round and seasonal workers. If we can get the approval we are also interested in putting in a drive through bank to help fund the housing component of the project.

M 11 P 150
C 1111 S 111



Edit New Print Recalc Quit Help **Editable Fiscal Year**

Insp/Pmt Land Bldg Sketch Document GIS

Map Parcel Ext. Type Loc 1 - Loc 2 Location
 11 156 0 R 3 UNCAS AV

Owner: REEVES LARKIN B. TR
Co-Owner: LARKIN B. REEVES FAMILY TRUST
Mailing Address: 73 LIGHTHOUSE ROAD
 AQUINNAH, MA 02535

Assessed Value: 497,700
Property Type Class: 1090 (MULTIPLE HSES)

State Class	ID	Assessed Value	Value Description
1090	1	290,400	LAND
1090	2	207,300	BUILDING

Value Credits: 0
Exemptions: 0.00
Belterments: 0.00
Abatelements: 0

Fiscal Year	Assessed Value	A/S Ratio	Time Adj Ratio
FY 2020	497,700	10	N/A
FY 2019	497,700	0.00 %	N/A

Transfer History:

Grantor	Grantee	Owner of Record	Transfer Date	Type	Price	Book	Page	Note
STEWART JOSEPH T JR	REEVES LARKIN B. TR STEWART JOSEPH T JR	2020	10/02/2015	QS	475,200	1387	386	
N/A				99	0	259	196	

Care Of Res Ex Link SH Addr

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View Mode

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P 15th 11 W



DEMOLITION PERMIT APPLICATION
 TOWN OF OAK BLUFFS
 BUILDING DEPARTMENT
 Ph. 508-693-3554 Fax 508-693-5375

Assessor's Information: Map 11 Parcel 156-0 App. # _____ Permit # _____
 Assessor Initials _____ Fee: \$500.00 Check # _____

THIS APPLICATION MUST BE **COMPLETE** AND PERMIT ISSUED BEFORE STARTING ANY WORK

Owner of Property: Flourens LLC Address: C/O Sawyer Realty Group

Contact Info: P O Box 1408 Vt Home (508) 696-1100 Cell (508) 377-1214

DEMOLITION ADDRESS: 3 Simes Ave, OB

Date of Demolition: TBD Directions: corner of Circuit Ave and Uncas Ave

Residential Commercial Wetlands* Yes No

EST. VALUE OF EXISTING STRUCTURE: \$ 0 EST. COST OF DEMO \$ \$2K - \$7K

* Please Note: ANY building or portion thereof that is 100 years old or greater, regardless of location in the town, requires you to file a Demolition Delay Form. If there is any doubt as to the age of the structure, please call the Oak Bluffs Historic Commission at 508-693-0563.

Demolition Contractor: Daniel Boyes License#: _____ Exp: _____

Address: P.O. Box 1231, 63 Rogers Way, OB Phones: (508) 693-8070

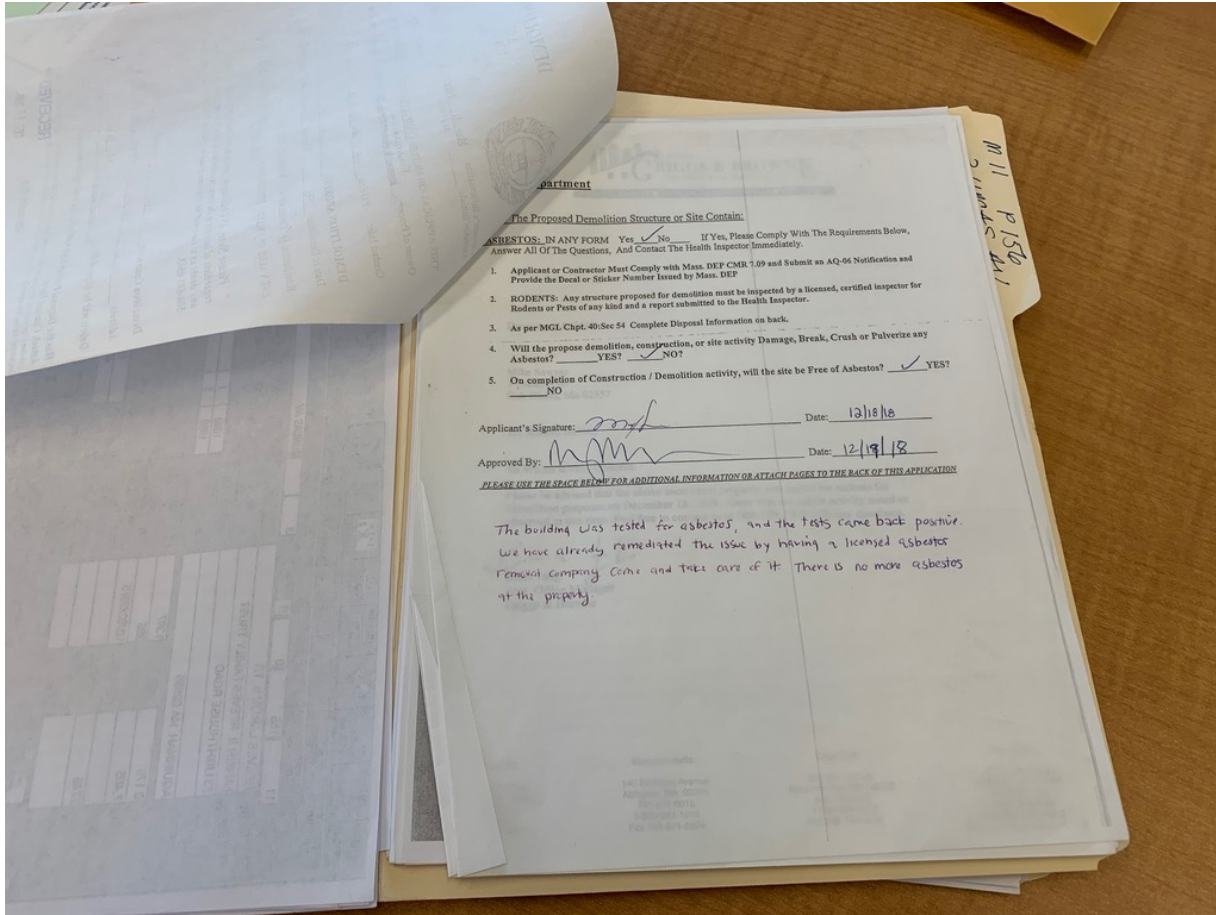
Debris will be disposed By: Daniel Boyes Excavating AT: Boyes
Licensed Disposal Contractor Lic. # _____ Name of Facility _____

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 I understand under penalties of perjury that the statements herein contained are true and correct to the best of my knowledge and belief. I understand that any false answer(s) will be just cause for denial or revocation of my license and for prosecution under 268

Continued on Back
RECEIVED
 DEC 18 2018
 O.B. BUILDING DEPT.

M 11 P 150
 2 11 15 11



Department

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ASBESTOS: IN ANY FORM Yes No If Yes, Please Comply With The Requirements Below, Answer All Of The Questions, And Contact The Health Inspector Immediately.

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Applicant's Signature: [Signature] Date: 12/18/18

Approved By: [Signature] Date: 12/19/18

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The building was tested for asbestos, and the tests came back positive. We have already remediated the issue by having a licensed asbestos removal company come and take care of it. There is no more asbestos at the property.

M11 P1580
STUMPS 241

Massachusetts
140 East Street
Boston, MA 02109
Tel: 617-725-1000
Fax: 617-725-1000

OAK BLUFFS HISTORICAL COMMISSION

OAK BLUFFS DEMOLITION DELAY BY-LAW APPLICATION

DATE 12/16/18
OWNER'S NAME Flowerwood LLC
MAILING ADDRESS Po Box 1408, Vineyard Haven, MA 02568
PHONE (508) 337-2114 FAX _____ EMAIL mike@sswagcreativitygroup.com

Applicant (if different than owner) Mike Sawyer
IMPORTANT: If the applicant is not the owner of the premises upon which the building is situated, the owner MUST indicate on or with this application his/her assent to the filing of the application.

Mailing Address same as above
Phone " _____ FAX " _____ Email " _____

STREET ADDRESS OF PROPERTY 3 Wines Ave

MAP 11 PARCEL 156-0

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M 11 P 150
C 1111 S 111

3 UNCAS AV

XP-20178-01574

COMMONWEALTH OF MASSACHUSETTS

TOWN OF OAK BLUFFS

EXPRESS PERMIT

Parcel	00110156
Permit #	XP-2018-1574
Est Cost	0
Permit Fee	75.00
Amount Pd	75.00
Zoning	
Issued By	AA

PERMISSION IS HEREBY GRANTED TO:

Contractor: CORE CONTRACTING
License: AC0009754
Expires: 11/30/19
Owner: FLOWERWOOD LLC
Applicant: FLOWERWOOD LLC
Project Location: 3 UNCAS AV

ISSUED ON: 12/14/2018 EXPIRES ON: Work Must Begin Within 6 Months or Permit Expires

TO PERFORM THE FOLLOWING WORK: REMOVAL OF ASBESTOS EXTERIOR SIDING AND INTERIOR ASBESTOS VINYL FLOORING

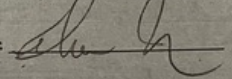
POST THIS CARD TO BE VISIBLE FROM THE STREET

INSPECTION TYPE	DATE	INSPECTOR	INSPECTORS NOTES
ROUGH			
FINAL			
OTHER:			
REINSPECTIONS:			

Express Permits may be used for minor RESIDENTIAL small sheds, repairs, re-roofing, re-siding, non structural porch and deck repairs, etc. Generally projects under \$15,000.00.

EXPRESS PERMITS ARE NOT TO BE USED FOR ANY STRUCTURAL WORK.

THIS PERMIT MAY BE REVOKED UPON VIOLATION OF ANY OF ITS RULES AND REGULATIONS

Signature: 

M 11 P 1574
3 UNCAS AV



TOWN OF OAK BLUFFS
BUILDING DEPARTMENT
598-693-3554 Ext. 123
buildingadmin@oakbluffsma.gov

RESIDENTIAL EXPRESS PERMIT APPLICATION

FEE: \$75.00 CHECK #:
APPLICATION #: PERMIT #:

MAP 11 PARCEL 150
OWNER'S NAME: Hoskins LLC
PHONE #: (508) 331-1234 EMAIL: rmee@sewing.com
Construction Address: 3 UNCAR AVE
SIGN OFFS: Assessor: _____ Tax Collector: _____ Conservation Commission: _____ Board of Health: _____
HISTORICAL DISTRICTS: OBHC: Yes No MVCMA: Yes No CHDC: Yes No
COPELAND: Yes No WETLANDS: Yes No

WORK TO BE PERFORMED

Absolutely NO Header Changes or Structural Work With This Permit

- Replace Windows #: _____ Indicate which rooms (on back) as well as type of window/U Value
- Replace Doors #:
- Replace decking (no structural) Type of decking: _____
- Replace Siding # of sq. _____ Type: _____
- Re-roof # of sq. _____ Type of shingle: _____ Strip old shingles Yes No
- Fence _____ Over 7' requires permit and removing vinyl flooring inside
- Shed** size < 100 sq ft 5' side/rear setback, > 100 sq ft Appendix B side/rear setback

**ALL NEW SHEDS REQUIRE A PLOT PLAN W/APPLICATION - NO EXCEPTIONS

DESCRIBE WORK AND EXISTING CONDITIONS ON SEPARATE PAPER. SUBMIT PLANS WHEN REQUIRED

Estimated Cost of Project: \$ 22,000 Disposal/Dumpster Firm for Debris: taken care via bulk bags

REQUIRED
Contractor's Name: Core Construction Services Mailing Address: 3 oakland st waburn, ma 01891
Phone: _____ Email: _____ for permit notification
Construction Supervisor Lic #: _____ Expiration Date: _____ HIC Registration #: _____
REQUIRED FOR WORK ON EXISTING DWELLINGS

Worker's Compensation Insurance: WORKER'S COMPENSATION AFFIDAVIT ON REVERSE SIDE OF THIS APPLICATION MUST BE COMPLETED

I am a: Homeowner Performing all work Contractor CSL #: _____ Exp Date: _____
 HIC #: _____ Exp Date: _____ REQUIRED

I, as Owner of the subject property, hereby authorize _____ to act on my behalf, in all matters relative to work authorized by this building permit application.

[Signature] 12/14/18
Print and Sign Name Date

Persons contracting with unregistered contractors do not have access to the guaranty fund as set forth in M.G.L. c 142A. I declare under penalties of perjury that the statements herein contained are true and correct to the best of my knowledge and belief. I understand that any false answer(s) will be just cause for denial or revocation of my license and for prosecution under M.G.L. Ch. 268 Section 13.

RECEIVED
Applicant's Signature: [Signature] Date: 12/14/18
Print Name and Signature

DEC 14 2018
Building Inspector's Signature: _____ Date: _____

PERMITS MUST BE VISIBLE FROM THE MAIN ACCESS STREET TO PROJECT
O.B. BUILDING DEPT.

114 STAMIC
11/11/18

Section 9: Debris Disposal Affidavit

DEMOLITION SITE ADDRESS _____
 DISPOSAL/DUMPSTER FIRM _____
 CONSTRUCTION SITE ADDRESS offsite
 SIGNATURE OF PERMIT APPLICANT _____
 DATE _____

Section 10: Workers' Compensation Affidavit

Applicant Information

Name (Business/Organization/Individual): Mass Print Leashy
 Address: _____
 City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

<p><input type="checkbox"/> I am an employer with _____ employees (full and/or part-time).*</p> <p><input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in my capacity. (No workers' comp. insurance required.)</p> <p><input type="checkbox"/> I am a homeowner doing all work myself. (No workers' comp. insurance required.)¹</p> <p><input type="checkbox"/> I am a homeowner and will be hiring contractors to conduct all work on my property. I will ensure that all contractors either have workers' compensation insurance or are sole proprietors with no employees.</p> <p><input type="checkbox"/> I am a general contractor and I have listed the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance.²</p> <p><input type="checkbox"/> We are a corporation and its officers have amended their right of exemption per MGL c. 152, §14A, and we have no employees. (No workers' comp. insurance required.)</p>	<p>Type of project (required):</p> <p>7. <input type="checkbox"/> New construction</p> <p>8. <input type="checkbox"/> Remodeling</p> <p>9. <input type="checkbox"/> Demolition</p> <p>10. <input type="checkbox"/> Building addition</p> <p>11. <input type="checkbox"/> Electrical repairs or additions</p> <p>12. <input type="checkbox"/> Plumbing repairs or additions</p> <p>13. <input type="checkbox"/> Roof repairs</p> <p>14. <input type="checkbox"/> Other _____</p>
--	--

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
¹Homeowners who submit this affidavit, indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: Travelers
 Policy # or Self-ins. Lic. #: 1K32009 Expiration Date: 4/20/19
 Job Site Address: 3 Suncoast Ave City/State/Zip: 08

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date). Failure to secure coverage as required under MGL c. 152, §25A is a criminal violation punishable by a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. A copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____
 Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____
 Issuing Authority (circle one):
 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Electrical Inspector 5. Plumbing Inspector
 6. Other _____
 Contact Person: _____ Phone #: _____

DEC 14 2018
 Q.B. BUILDING DEPT.

M 11 P 150 1

Massachusetts Department of Environmental Protection
BWP AQ 04 (ANF-001)
Asbestos Notification Form

100299214
Asbestos Project #
 Project Renovation
 Project Cancellation

A. Asbestos Abatement Description

1. Facility Location:
1. Name of Facility
2. Street Address
3. City/Town
4. State
5. Zip Code
6. Telephone

2. Is this a fee exempt notification (city, town, district, municipal housing authority, state facility, or owner-occupied residential property of four units or less)? a. Yes b. No

3. Is this a fee exempt notification (city, town, district, municipal housing authority, state facility, or owner-occupied residential property of four units or less)? a. Yes b. No

4. Blanket Permit Project Approval, if applicable:
Approval ID #

5. Non-Traditional Asbestos Abatement Work Practice Approval, if applicable:
Approval ID #

6. Asbestos Contractor:
a. Name
b. Address
c. City/Town
d. State
e. Zip Code
f. Telephone
g. DLS License #

7. a. Name of Contractor's On-Site Supervisor/Foreman
b. DLS Certification #

8. a. Name of Project Monitor
b. DLS Certification #

9. a. Name of Asbestos Analytical Lab
b. DLS Certification #

10. a. Project Start Date (MM/DD/YYYY)
b. End Date (MM/DD/YYYY)
c. Work Hours - Monday Through Friday
d. Work Hours - Saturday & Sunday

11. What type of project is this?
 a. Demolition b. Renovation c. Repair d. Other - Please Specify: _____

RECEIVED
DEC 14 2018

O.B. BUILDING DEPT.

11/11/18
10510

Massachusetts Department of Environmental Protection
BWP AQ 04 (ANF-001)
Asbestos Notification Form

100299214
Asbestos Project #
 Project Revision
 Project Cancellation

A. Asbestos Abatement Description: (cont.)

12. Abatement procedure (check all that apply):
 a. Glove Bag b. Encapsulation c. Enclosure d. Disposal Only e. Cleanup
 f. Full Containment g. Other - Please Specify: WET DOWN EXTERIOR

13. Job is being conducted: a. Indoors b. Outdoors

14 a. Total amount of each type of asbestos containing materials (ACM) to be removed, enclosed, or encapsulated:

		1990				1990	
1. Linear Feet (Ln. Ft.)		2. Square Feet (Sq. Ft.)					
b. Boiler, Breaching, Duct, Tank Surface Coatings	1. Ln. Ft. 2. Sq. Ft.	c. Transite Pipe		1. Ln. Ft.	2. Sq. Ft.		
d. Pipe Insulation	1. Ln. Ft. 2. Sq. Ft.	e. Transite Shingles		1. Ln. Ft.	2. Sq. Ft.		
f. Spray-On Fireproofing	1. Ln. Ft. 2. Sq. Ft.	g. Transite Panels		1. Ln. Ft.	2. Sq. Ft.		
h. Cloths, Woven Fabrics	1. Ln. Ft. 2. Sq. Ft.	i. Other - Please Specify:					
j. Insulating Cement	1. Ln. Ft. 2. Sq. Ft.	SHINGLES & VAT		1. Ln. Ft.	2. Sq. Ft.	1990	

15. Describe the decontamination system(s) to be used:
FULL CONTAINMENT FOR INTERIOR
WET DOWN FOR EXTERIOR

16. Describe the containerization/disposal methods to comply with 310 CMR 7.15 and 453 CMR 6.14(2) (g):

DOUBLE BAG

17. For Emergency Asbestos Operations, the MassDEP and DLS officials who evaluated the emergency:

a. Name of MassDEP Official _____ b. Title of MassDEP Official _____
c. Date of Authorization (MM/DD/YYYY) _____ d. Waiver # _____
e. Name of DLS Official _____ f. Title of DLS Official _____
g. Date of Authorization (MM/DD/YYYY) _____ h. Waiver # _____

18. Do prevailing wage rates as per M.G.L. c. 149, § 26, 27 or 27A-F apply to this a. Yes b. No project?

111 P150
2 LINKS #11

100299214
Asbestos Project #
 Project Revision
 Project Cancellation

M 11 P 150
2 SIMMS #11

B. Facility Description

1. Current or prior use of facility: HOME

2. Is the facility owner-occupied residential with 4 units or less? a. Yes b. No

3. FLOWER WOOD, LLC PO BOX 1408
a. Facility Owner Name b. Address
VINYARD HAVEN MA 02568 5083171214
c. City/Town d. State e. Zip Code f. Telephone

4. MIKE SAWYER PO BOX 1408
a. Name of Facility Owner's On-Site Manager b. Address
VINYARD HAVEN MA 02568 5083171214
c. City/Town d. State e. Zip Code f. Telephone

5. CORE 3 OAKLAND ST
a. Name of General Contractor b. Address
WOBURN MA 01801 7817214540
c. City/Town d. State e. Zip Code f. Telephone

TRAVELERS
g. Contractor's Worker's Compensation Insurer
1K32069 4/20/2019
h. Policy # i. Expiration Date (MM/DD/YYYY)

6. What is the size of this facility?
a. Square Feet 2000 b. # of Floors 1

Note: Temporary storage of Asbestos containing waste material is only allowed at the place of business of a DLS licensed Asbestos contractor or a transfer station that is permitted by MassDEP and operated in compliance with Solid Waste Regulations 310 CMR 19.000

C. Asbestos Transportation & Disposal

1. Transporter of asbestos-containing waste material from site of generation:
 a. Directly to Landfill or b. To Temporary Storage Location/Transfer Station

CORE 3 OAKLAND ST
c. Name of Transporter d. Address
WOBURN MA 01801 7817214540
e. City/Town f. State g. Zip Code h. Telephone

2. If a temporary storage location/transfer station is used, list name of transporter of asbestos containing waste material from temporary storage location/transfer station to final disposal site:

TRANSWASTE 3 BARKER DRIVE
a. Name of Transporter b. Address
WALLINGFORD CT 06492 2032698300
c. City/Town d. State e. Zip Code f. Telephone

Massachusetts Department of Environmental Protection
BWP AQ 04 (ANF-001)
Asbestos Notification Form

100299214

Asbestos Project #
 Project Revision
 Project Cancellation

C. Asbestos Transportation & Disposal: (cont.)

3. Name and address of temporary storage location/transfer station for the asbestos containing waste material:

MNERVA
a. Temporary Storage Location Name
b. Address
800 MNERVA ROAD
c. City/Town
d. State
OH 44688
e. Zip Code
330663436
f. Telephone

4. Name and location of final disposal site (asbestos landfill):

MNERVA
a. Final Disposal Site Name
b. Final Disposal Site Owner Name
FRANK STUFANO
c. Address
8000 MNERVA ROAD
d. City/Town
e. State
OH 44688
f. Zip Code
330663436
g. Telephone

Note: Contractor must sign this form for DLS notification purposes

D. Certification

I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment. The undersigned hereby states that I have read the Commonwealth of Massachusetts regulations governing asbestos abatement (453 CMR 6.00 promulgated by the Department of Labor Standards and 310 CMR 7.15 promulgated by the Department of Environmental Protection), and that I am aware that this permit application or notification shall not be deemed valid unless payment of the applicable fee is made.

JOHN MAHONEY	JOHN MAHONEY
1. Name	2. Authorized Signature
PRESIDENT	11/30/2018
3. Position/Title	4. Date (MM/DD/YYYY)
7817214540	COKE
5. Telephone	6. Representing
3 OAKLAND STREET	WOBURN
7. Address	8. City/Town
MA	01801
9. State	10. Zip Code

M 11
P 150
#11 STUFANO

CORE CONTRACTING SERVICES, INC.
3 OAKLAND STREET
WOBURN, MA 01801
781-721-4540
#AC000754

LOG BOOK
JOB # 14201

Log Book # ____ OF ____

M 11 P 156
2 11/15/11 #11

JOB SITE DAILY LOG

JOB LOCATION:

DATE:

SUPERVISOR:

BY:

JOB:

START TIME:

STOP TIME:

WEATHER:

WIND:

TEMP:

REL. HUMIDITY:

WIND DIRECTION:

WIND SPEED:

WIND VELOCITY:

WIND FORCE:

WIND DIRECTION:

WIND SPEED:

WIND VELOCITY:

WIND FORCE:

WIND DIRECTION:

WIND SPEED:

WIND VELOCITY:

WIND FORCE:



7022 0420 0001
CEP



BAR + BISTRO + BOWLING + EVENTS

BUON SUCCESSO SINTAUSI ROMA



OAK BLUFFS HISTORICAL COMMISSION (OBHC)
RECORD OF DEMOLITION DELAY APPLICATION

Denied by
Copleland
to no delay
by OAH

M 11 P 150
3 WCHS AV

CHECK LIST TO BE COMPLETED BY BUILDING/ZONING OFFICIAL 1-5

- Application received from Flowerwood LLC
Name of applicant
- Date received _____ Applicant's Phone # _____ FAX # _____ email address _____
(please check if completed)
- Application completed _____ (please check if completed)
- Forwarded to the OBHC on (date) 1/1
Called OBHC Chairman Pamela S Melrose @ 509-341-8293 to notify of application and placed the application in the box of the OBHC in the Selectmen's office 509-341-8293

ATTACH THIS CHECK LIST TO THE APPLICATION

TO BE COMPLETED BY THE OAK BLUFFS HISTORICAL COMMISSION

- Date of Historical Commission determination Jan 16, 2019
- Determination of the OBHC: (circle one) Significant Not Significant
- Date of Public Hearing 2/3 (within 30 days of determination with 7 day notification)
- Date of applicant notification 1/17
- Date of Building/Zoning Office notification 1/10/2019

PUBLIC HEARING RESULTS signature Pamela S Melrose 2/22/2019

- Preferably Preserved (no building permit/demolition permit issued)
Hearing Feb. 20, 2019 (date at request of applicants)
- Not Preferably Preserved
- Demolition permit issued _____ Date issued _____
- Building/Zoning Office notification Date of notification _____
- Applicant notification Date of notification _____

Significant Pamela S Melrose 1/17/2019
Preferably preserved 2/20/2019

OAK BLUFFS HISTORICAL COMMISSION
OAK BLUFFS DEMOLITION DELAY BY-LAW APPLICATION

DATE _____
OWNER'S NAME _____
MAILING ADDRESS _____
PHONE _____ FAX _____ EMAIL _____

Applicant (if different than owner)
IMPORTANT! If the applicant is not the owner of the premises upon which the building is situated, the owner **MUST** indicate on or with this application his/her assent to the filing of the application.

Mailing Address _____
Phone _____ FAX _____ Email _____

STREET ADDRESS OF PROPERTY _____
MAP _____ PARCEL _____

DESCRIPTION OF BUILDING TO BE DEMOLISHED, INCLUDING PHOTOS OF EXTERIOR AND INTERIOR

Date originally constructed (as stated in assessor's records) _____

Reason for demolition _____

Engineer's report attached _____ (check here and include)

Brief description of the proposed reuse, reconstruction or replacement, including plans, elevations and any other material that will describe the applicant's plans

m 11 p 15th
3 bluffs Av

OAK BLUFFS HISTORICAL COMMISSION (OBHC) GUIDELINES
FOR DETERMINATION OF A SIGNIFICANT STRUCTURE
ACCORDING TO THE DEMOLITION DELAY BYLAW

First, the structure must be at least 100 years old or more. The date of construction may be provided by the Assessor's office or by the information on the historic building survey provided by the Town Clerk. If a building is of unknown age, it shall be assumed that the building is over one hundred years old for the purpose of the demolition delay bylaw.

Upon receipt of a stamped application for review from the building official, the chairman of the OBHC will place the applicant on the next possible agenda for review.

The chairman will provide a copy of the historic building survey for the structure in question for the meeting in order to help to determine if the structure is significant or not.

In order to determine if the structure is significant, it must have any one or more of the following criteria:

1. Listed on the National Register of Historic Places
2. Eligible for the National Register of Historic Places
3. The structure is associated with one or more historic persons or events
4. The structure is associated with the broad architectural, cultural, political, economic or social history of the town or the Commonwealth
5. The structure is historically or architecturally important (in terms of period, style, method of building construction)
6. The structure is associated with a recognized architect or builder, either by itself or in the context of a group of buildings

If a structure is determined to be "significant" by the OBHC, the secretary will notify the applicant and the building official of the determination and shall set a date for a public hearing to be held within 30 days, or, at the next monthly meeting of the OBHC.

The secretary will post a notice for the public hearing on the Town Hall bulletin board at least seven days prior to the public hearing. During the interim time, a member of the OBHC will research the history of the structure in order to present all pertinent historical data/facts at the public hearing.

At the close of the public hearing, or within 14 days, the OBHC will determine if the structure should be "preferably preserved" or not. If the commission rules that it shall be preferable preserved, they may delay the demolition up to a period of six months.

If the OBHC deems the structure to be extremely important, it may choose to refer the project to the Martha's Vineyard Commission as a Development of Regional Impact (DRI).

m 11 p 150
3 UNITS HV

Oak Bluffs Building Administrator

From: Shelley Christiansen <shellmc2@msn.com>
Sent: Wednesday, January 12, 2022 11:33 AM
To: Philip Regan; Oak Bluffs Building Administrator; Matt Cramer; Amy Billings; Barbara Baskin; Denby Olcott; jojo@marthasrealestate.com
Subject: Re: CCHD - Re: 3 Uncas Avenue

I'm hopeful it doesn't have to be read aloud in full into the public record tonight. That could add 20 mins to the meeting.

S.

[Get Outlook for iOS](#)

From: Philip Regan <pregan@hutkerarchitects.com>
Sent: Wednesday, January 12, 2022 10:17:06 AM
To: Oak Bluffs Building Administrator <buildingadmin@oakbluffsma.gov>; Matt Cramer <mcramer@hutkerarchitects.com>; Amy Billings <abillings@oakbluffsma.gov>; Barbara Baskin <bbaskin2@comcast.net>; Shelley Christiansen <shellmc2@msn.com>; Denby Olcott <denbyolcott@gmail.com>; jojo@marthasrealestate.com <jojo@marthasrealestate.com>
Subject: RE: CCHD - Re: 3 Uncas Avenue

Quite a rant...

Phil Regan
Principal
Hutker Architects, Inc.
508.693.3344
pregan@hutkerarchitects.com
www.hutkerarchitects.com

HUTKER
ARCHITECTS



"A Sense of Place: Houses on Martha's Vineyard and Cape Cod" is available now.

NOTICE: This email message and all attachments transmitted with it may contain confidential information intended solely for the use of the addressee. If you are not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone or by return email, and delete this message and all copies.

M11 P156
3 UNCAS AV

and backups thereof. Our systems are checked for viruses, but please note that we do not accept liability for any viruses which may be transmitted via email.

From: Oak Bluffs Building Administrator <buildingadmin@oakbluffsma.gov>
Sent: Tuesday, January 11, 2022 6:20 PM
To: Matt Cramer <mrcramer@huterarchitects.com>; Philip Regan <pregan@huterarchitects.com>; Amy Billings <abillings@oakbluffsma.gov>; Barbara Baskin <bbaskin2@comcast.net>; Shelley Christiansen <shellm2@mson.com>; Denby Olcott <denbyolcott@gmail.com>; jjojo@marthasrealstate.com
Subject: Fwd: CCHD - Re: 3 Uncas Avenue

CAUTION: This email originated from outside of your organization. Do not click on links or open attachments unless you recognize the sender's address and trust the content to be safe.

Hello all-please see attached.
See you tomorrow.

Begin forwarded message:
From: Robert Sawyer <rms@mac.com>
Date: January 11, 2022 at 5:45:28 PM EST
To: Oak Bluffs Building Administrator <buildingadmin@oakbluffsma.gov>
Subject: CCHD - Re: 3 Uncas Avenue

Hi Alexa,

Thank you. We are, at this time, withdrawing our application to the Cottage City Historical District ("CCHD") for permission to demolish the decrepit old house at 3 Uncas Avenue. Please distribute this email to the Cottage City Historic Commission and each of the commissioners as our official response to our application and in the hope that our surrender can make a positive difference going forward and the CCHD members can learn and benefit from our most disappointing experience.. We enjoy a long and highly creditable reputation for serving and working with our community and, even though our attorney advises us we will prevail on this issue in court, it is not our style or desire to go to war with the town of Oak Bluffs which will be costly and very time consuming for all.

Our objective here has always been to quite simply to obtain the right to demolish this dilapidated, eyesore of a building and replace it with eight small workforce housing units which the community desperately needs like it requires air to breathe and including eight dedicated parking spaces and bicycle racks.

The irrefutable facts are as follows:

1. This building is in a terrible state of disrepair, has been unoccupied for many years and, to the best of our knowledge, has not had any major improvements in at least 40 or 50 years. It was originally built as a summer house and does not have even minimal insulation or heating capability.
2. We require, for approval of demolition, the approval of no less than three historic commissions, namely Cottage City Historic District, Copeland Plan Review Committee and Oak Bluffs Historic Commission. All of which we have attended hearings seeking the right to demolish this tumbledown

building. Some ref...
process with the Ma...
3. Both CCHD guidelines...
the surrounding area...
subject property is total...
residential. Strategic becau...
4. Three of the major and clo...
past ten years and no histor...
years and no historic val...
remodeled exterior of building...
reasons we do not understand...
and outspoken critic of demolition...
Copeland district review committee...
5. We devoted almost two years and...
G. L. C. 40 B project from the Common...
housing units we proposed would be aff...
6. We have provided architect prepared d...
you, CCHD require us to provide far more...
if they are approved by you, will you then...
7. We suggest that you are employing sele...
was allowed to be built on this site...
previous owner to install new...
considerations, not...
8. Both your...
this...



Copeland Plan
Town of Oak Bluffs
56 School Street, P.O.
Oak Bluffs, MA 02557

RETURN RECEIPT
REQUESTED

M11 P156
3 WINGS AV

building. Some refer to this as triple jeopardy. And this is all before we even begin our entitlement process with the Marthas Vineyard Commission and the ZBA.

3. Both CCDH guidelines and Massachusetts General laws make periodic reference to compatibility with the surrounding area such as exists in the Campgrounds. In the case of the subject 3 Uncas Avenue the subject property is totally surrounded by commercial property, all zoned commercial. In fact the subject property was originally zoned commercial and for reasons we do not know, it was spot zoned to residential. Strange, because spot zoning is generally a frowned upon process.

4. Three of the major and closest abutters are Marthas's Vineyard Savings Bank (New construction within past ten years and no historic values.), The Barn, Bowl & Bistro, (New construction within past eight years and no historic values.) Cottage City Home Appliance & Outdoor Power Equipment (Totally remodeled exterior of building just a few years ago with cedar shingles and no historic values). For reasons we do not understand Amy Billings, a principal of Cottage City Appliance, has been a constant and outspoken critic of demolition and any new workforce housing at this site. She also serves on the Copeland district review committee.

5. We devoted almost two years and considerable resources to applying and receiving approval for a M. G. L. c. 40 B project from the Commonwealth of MA for this site assuring that the eight workforce housing units we proposed would be affordable housing.

6. We have provided architect prepared drawings of the proposed eight workforce housing units but you, CCHD, require us to provide far more extensive drawings and only after they are approved by you, if they are approved by you, will you then consider demolition.

7. We suggest that you are employing selective discrimination. In 1950 a separate free standing building was allowed to be built on this site with no historic considerations. Far more recently you allowed a previous owner to install new deck and stairs made of simply pressurized lumber with no historic considerations, not even modern attractive design.. See photo below.

8. Both your guidelines and state law provide for us to apply as a "financial hardship". We own this building and amongst other costs we have mortgage loan, real estate tax and insurance obligations. We have already expended funds for required asbestos inspection and remediation as well as security measures and our expensive 40B application process. This vacant and uninhabitable building produces no income to offset these costs. That is financial hardship but at your meeting on October 13, 2021 you decided this was not a financial hardship.

9. At the regularly scheduled meeting of November 10, 2021 you spent two hours on our request for demolition. We mostly listened to dialogue from commissioners and abutters alike. Typical dialogue was:

a. We had repeatedly offered to hire a retired building inspector or builder to evaluate this property but you urged us to hire a structural engineer. Even if building is structurally sound it does not consider the terrible state of decrepitude of this house and the huge cost to bring it to acceptable and occupiable standards. Another complication is the Copeland Plan Review Committee had previously advised us that an independent Structural Engineers is not acceptable to them and they, would only rely upon a building official or health agent from Oak Bluffs.

b. Commissioner Barbara Baskin stated the building is on MACRIS and has indicated historic significance. When we verified this claim we did find the subject property on MACRIS identified as

"Victorian Eclectic", "Secondary Dwelling House" and "Architecture: Recreation". There is no mention of historic. Further, what does Victorian Eclectic mean. One needs only view the definition of eclectic to understand there is no consistent value to this architecture.

c. You, the CCDH allowed testimony and letters from seasonal residents Peggy Barmore, Byron Barnett and Diane Streett, on Hiawatha (Most of whom live in a condominium that is zoned commercial) that showed a blatant disregard for our community affordable housing needs. Peggy Barmore asked the CCDH, "Are we still in such a dire situation for affordable housing?" (Perhaps they would have more sensitivity in their real principal residence in America). You further allowed these seasonal residents to demean our reputation and credibility without any valid basis.

d. There was concern that our eight small housing units would create real traffic concerns. Being next to the Barn which generates significant community traffic and across the street from the old Eversource parcel that Oak Bluffs is acquiring to make a municipal parking lot, and in the midst of myriad commercial enterprises, we fail to understand how eight small workforce housing units can be a traffic issue.

d. Commissioner Barbara Baskins states "The need for affordable housings is not in the purview of CCDH and what's replacing it (3 Uncas) with is irrelevant."

d. We listened to critical comments by commissioners such as, "do we need to provide parking for proposed eight dwelling units, as green space would be more appealing". "There is no indication our proposed new building provides for garbage and waste removal" Even though we provide for bicycles we were advised the CCDH does not think our bicycle plan can work. (WRITER'S NOTE: These considerations are for our subsequent MVC and ZBA review and not appropriate for historic commission.)

e. We were advised we must spend considerable funds for new and more detailed design before the CCDH will consider demolition. We received no assurance that these proposed drawings would result in approval of demolition. (WRITER'S NOTE: Since the newly constructed building will not be historic we do not understand these concerns by a historic commission. Further, we are aware that the MVC or ZBA may make changes in our plan approved by CCDH. An impossible conundrum)

In sum, we merely sought to demolish this ramshackle and uninhabitable house in its horrid state of disrepair and create beautiful new eight workforce housing units. Because of the affordable nature of this proposed project there is no room for frivolous and wasteful expenses as requested by CCDH in order to keep this project reasonably profitable. This is a sad saga and both the town of Oak Bluffs, the Martha's Vineyard community and we all lose.

With deep regrets,

Robert M. Sawyer
P. O. Box 1408
Vineyard Haven, MA 02568
Office: (508) 696-1900
FAX: 1-508-693-7499

ordinary Dwelling House" and "Architecture, Recreation". There is no mention of
does Victorian Electric mean. One needs only view the definition of eclectic to
consistent value to this architecture.

...aron Barnett and

Email: rms5@mac.com
Real Estate: Consultant, Writer, Instructor, Broker

DATE RECEIVED

Stamp by Building Official

COTTAGE CITY BUILDING DEPARTMENT & CITY APPLICATIONS DEPARTMENT

IMPORTANT

For the Architectural Division & Application Department

NO APPLICATIONS WILL BE ACCEPTED WITHOUT THE FOLLOWING:

- 1. All applications for such projects as Terms of Use shall be ALL applications
All applications MUST BE APPLICABLE TO be
2. Supply an accurate site plan that will be used for the City's planning &
conforms with the zoning address: 10000 S.W. 10th St., Suite 100, Fort Lauderdale, FL 33304
address for mailing, including a contact name & telephone number
and the responsibility of the applicant. Applicant will be held responsible for any errors that
3. Provide a plan that if you are applying for a new, old, or reconstruction or change in
the building footprint (eg. addition)
4. Provide architectural or engineering drawings to scale of the building, showing details
of proposed work including all sides of the building.
5. Provide photographs of the existing building or lot as seen from a public way. Include
any other relevant photos as indicated. If available, that may be pertinent to
your project. The more information provided, the easier the process will be.
6. Check a COMPLETE description of ALL existing structures on the lot and
describe them proposed. **SHOWN ACTION**
7. Upon receiving the owner's report or contractor, please include the construction form attached

The City of Cottage City is a member of the Florida Association of Building Officials (FABO) and
maintains the application in order to be accepted by the building official.

FOR MORE INFORMATION, CONTACT THE BUILDING DEPARTMENT AT 10000 S.W. 10th St., Suite 100, Fort Lauderdale, FL 33304

DATE RECEIVED _____

Stamped by Building Official _____

COTTAGE CITY HISTORIC DISTRICT (CCHD) APPLICATION INSTRUCTIONS

IMPORTANT

Review the attached Architectural Guidelines & Application Information FIRST

NO APPLICATION WILL BE ACCEPTED WITHOUT THE FOLLOWING:

\$25 Application fee made payable to Town of Oak Bluffs for ALL applicants

All applications EXCEPT NON-APPLICABILITY need to:

1. supply an abutter sticker-style label mailing list from the Tax Assessor's office/stamps & envelopes with the return address: CCHD, P.O. Box 1327, Oak Bluffs, MA 02557
All costs for mailings, advertising (if a public hearing is necessary) and labels are the responsibility of the applicant. Applicant will be billed for advertising by newspaper direct
2. Provide a plot plan if you are applying for a fence, shed, new construction or a change in the building footprint (any additions)
3. Provide architectural or schematic drawings to scale of the building elevations showing details of proposed work affecting all sides of the building.
4. Provide photographs of the existing building as it can be seen from a public way. Include any other historic photos or information, if available, that may be pertinent to your project. *The more information included, the smoother the process will be.*
5. Attach a COMPLETE description of ALL exterior construction materials and decorative features proposed. **MORE IS BETTER**
6. If you are acting as the owner's agent or contractor, please submit the verification form attached

The Building Official **MUST STAMP & COMPLETE** the lower portion of this page AND attach to the application in order to be accepted for consideration by the CCHDC

1. \$25 FEE PAID, CHECK ATTACHED
2. ABUTTER LIST (if required) LABELS/STAMPED ENVELOPES ATTACHED
3. PLOT PLAN IF FENCE/NEW CONSTRUCTION/CHANGE IN BUILDING FOOTPRINT/ADDITION
4. ARCHITECTURAL DRAWINGS /CHANGE IN BUILDING
5. PHOTOGRAPHS OF EXISTING BUILDING
6. COMPLETE DESCRIPTION OF ALL EXTERIOR CONSTRUCTION MATERIALS/DECORATIVE FEATURES PROPOSED

CCHD encourages discussions with applicants prior to application process. We welcome the opportunity to answer your questions at our regularly scheduled meetings. A complete list of meetings for the entire year are posted on the bulletin board at Town Hall and on the website.

M 11 P 1570

PLEASE PROVIDE A DETAIL
DESCRIPTION OF THE
WORK TO BE DONE
IF YOU ARE MAKING
AN EXPLANATION OF
SIGNATURE OF

Official Date stamped in _____

**TOWN OF OAK BLUFFS
COTTAGE CITY HISTORIC DISTRICT APPLICATION**
This is an application only and not an authorization to begin work until a building permit is issued
by the Oak Bluffs Building Commissioner

APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF: (please circle one)

NON-APPLICABILITY APPLICABILITY HARDSHIP

CATEGORIES THAT APPLY TO YOUR PROJECT (please circle one)

NEW BUILDING ADDITION ALTERATION RECONSTRUCTION DEMOLITION OTHER

TYPE OF BUILDING (please circle one)

DWELLING GARAGE ACCESSORY OTHER

APPLICATION FOR A SIGN: Please attach a full description/schematic drawing & dimensions

OTHER STRUCTURE (please circle one)

FENCE WALL OTHER

PLEASE TYPE OR PRINT LEGIBLY:

Address of proposed project: 3 WJ CAS AVENUE MAP 11 PARCELS 156

Owner's Address: P.O. Box 1408

Owner's Phone: 187-196-1900 Fax: 187-196-1900 CHRISTOPHER HANSEN 565 MAP 02106

Contractor/Agent: EMILY P. SPENCER EMILY P. SPENCER EMILY P. SPENCER

Contractor/Agent Address: _____ Phone: _____ Email: _____ Fax: _____

IF CONTRACTOR IS TO ACT AS AGENT, PLEASE ATTACH SIGNED AGREEMENT

APPLICATION CONTINUED ON REVERSE SIDE

d
is
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We
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Martha's
V

With
dear
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Robin
P. O. 1
Village
Office
FAX: 1

RETURN RECEIPT
REQUESTED

Copeland Plan Review Committee
Town of Oak Bluffs, Town Hall
56 School Street, P.O. Box, 2490
Oak Bluffs, MA 02557

COTTAGE CITY HISTORIC APPLICATION
3 Uncas Avenue, Oak Bluffs, MA 02557

CONTENTS

TOPIC	PAGE
Summary of Objectives	2
Zoning and M.G.L. c. 40B	2
Condition and History of Existing Buildings	3
Abutters	4
Our Plans Following Demolition	4
Certificate of Hardship	5
Certificate of Appropriateness	6
Conclusion	6
MassHousing Approval Letter	7
Photos of Subject Property	Exhibit A 14
Asbestos Inspection Survey	Exhibit B 15
Asbestos Remediation Proposal	Exhibit C 19
Proposed Site Plan	Exhibit D 20
Revised Site Plan	Exhibit E 22
Map of Abutting Parcels	Exhibit F 23
Photos of All Abutting Parcels	Exhibit G 24
	Exhibit H

LIST OF EXHIBITS

EXHIBIT REF.	COMMENTS	EXHIBIT
A	M.G.L. c. 40B	MassHousing Approval Letter
B	Photos	Photos of Subject Property
C	Asbestos	Asbestos Inspection Survey
D	Asbestos	Asbestos Remediation Proposal
E	Proposed Site Plan	Set of Drawings
F	Revision of Site Plan	ATM
G	Abutting B-1 Parcels	Assessor's map
H	Photos	Photos of Abutting Properties

SUMMARY OF OBJECTIONS

This Application sets forth both the merits of issuing a demolition as well as many of the myriad reasons a Certificate of Appropriateness regarding the Property with the common address ("Property").

The question at hand is quite simply demolition or vacant Property.

Zoning is not a significant factor in the issuance of a demolition certificate. The statute that enables the development of affordable housing is not a significant factor in the issuance of a demolition certificate. The shortage of affordable housing has been recognized in many cases and has been recognized in many cases.

Completed Plan Review Committee
 Town of Oak Bluffs, Town Hall
 56 School St., Box 2490
 Oak Bluffs, MA 02557

REQUESTED

1st Floor
 2nd Floor
 3rd Floor

ALCATON
MA 02357

CONTENTS	PAGE
Existing Buildings	24
Exhibit A	25
Exhibit B	26
Exhibit C	27
Exhibit D	28
Exhibit E	29
Exhibit F	30
Exhibit G	31

SUMMARY OF OBJECTIVES

This Application sets forth both the merits of issuing a Certificate of Hardship and allowing demolition as well as many of the myriad reasons a Certificate of Appropriateness is not applicable regarding the Property with the common address of 3 Uncas Avenue, Oak Bluffs ("Property").

The question at hand is quite simply demolition or requiring us to retain this run-down vacant Property.

ZONING and M.G.L. c. 40B

Zoning is not a significant consideration as this Property has been approved by MassHousing, Commonwealth of Massachusetts under M.G.L. c. 40B. Chapter 40B is a state statute that enables local Zoning Boards of Appeals (ZBA) to approve affordable housing developments under flexible rules. Chapter 40B was enacted in 1969 to help address the shortage of affordable housing statewide by reducing unnecessary barriers created by local approval processes, local zoning, and other restrictions. Since its inception, Chapter 40B has been responsible for the production of affordable housing developments that in most cases could not have been built under traditional zoning approaches. (See MassHousing Approval Letter as Exhibit "A")

m 11
p 157b

CONDITION AND HISTORY OF EXISTING BUILDING

The Property has two buildings, a single-family house and a shed. The shed was built in 1950 (according to Assessor records) These two buildings are, undebatably, crystal-clear examples of what is commonly referred to as run-down or dilapidated property. This Property clearly possesses no special or unique architectural appeal when compared to homes within the Campgrounds or similar. (See photos attached hereto as Exhibit "H")

The subject house was originally built as summer-only and never accommodated such year-round routine requisites such as insulation, proper heat, etc. The Property is unoccupiable by numerous building code and health code standards. In fact, the Property has been unoccupied for about four to five years. To the best of our knowledge and according to town records there has been no significant upgrades or improvements to this decrepit Property in the past forty or fifty years.

While we can very accurately employ such adjectives about this Property as dilapidated, run-down, decrepit, and much more, we offer the follow two options for your further consideration:

- a. We will provide a scheduled, guided tour to any of your members who choose to view the interior of this derelict Property.
- b. We will, upon written request by you, contract and pay for an independent MV building expert to provide a written report as to the extensive run-down nature of this Property.

In November 2018 we acquired title to this Property and promptly sought a Demolition Permit. We were instructed by the Building Inspector that a pre-requisite thereto was an Asbestos inspection by a licensed Asbestos Inspector. The licensed Inspector found the Property, both exterior and interior, abundant with Asbestos (See Asbestos Inspection Survey Attached as Exhibit "C"). Accordingly, and as dictated by both Massachusetts and Federal law we hired a licensed Asbestos Remediation firm. (See Asbestos Remediation proposal attached hereto as Exhibit "D"). In sum, we spent in excess of \$26,000 for Asbestos inspection and remediation at the end of 2018. As can be viewed with attached documents, all exterior siding, most interior flooring and misc. were removed.

Oak Bluffs police reports will show there have been many break-ins in the Property by vandals. The only effective way to fully prevent this is for us to spend money to board up the building. This is both an unnecessary expense for us and for the community it only exacerbates this eyesore.

We are frustrated because this Property is at an impasse. We are eager to proceed with our plans for demolition and construction of eight workforce dwelling units (see drawings attached hereto as Exhibits "E" and "F". Our proposed affordable housing is so desperately needed by this community.

ABUTTERS

The Property is surrounded by commercial properties (40C, § 7 (as follows) states that buildings in immediate v. structures the commission shall consider to the appropriate building or structure both in relation to the land area abutted is situated and to buildings and structures in the properties in the "vicinity" will clearly reflect that these neighboring properties as Exhibit "H")

OUR PLANS FOLLOWING

We have expended significant funds to design e you all are aware the Vineyard suffers from a frequently quotes authorities about our laf Oak Bluffs Master Plan features the sign we propose, is very important to the year-round affordable workforce a critical social issue on the Vineyard this crisis, but it will make a d

CapeCod Plan Review Committee
Town of Oak Bluffs

RECEIPT
REQUESTED

STATEMENT OF EXISTING BUILDING

The shed was built in 1940, is a single-story structure, and is located on the east side of the property. The shed is in poor condition and is not suitable for occupancy. The shed is located on the east side of the property, adjacent to the parking area. The shed is located on the east side of the property, adjacent to the parking area. The shed is located on the east side of the property, adjacent to the parking area.

We will not be demolishing the shed, but we will be demolishing the structure that was attached to the shed. The shed is located on the east side of the property, adjacent to the parking area. The shed is located on the east side of the property, adjacent to the parking area. The shed is located on the east side of the property, adjacent to the parking area.

ABUTTERS

The Property is surrounded by commercial properties (see map as Exhibit "G"). M.G.L. c. 40C, § 7 (as follows) states that buildings in immediate vicinity shall be a consideration. . . structures the commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity. The surrounding abutters have little to no historical impact. A visual review of the abutting commercial properties in the "vicinity" will clearly reflect that these neighboring commercial properties have no consequential historical architectural significance. (See photos of all abutting properties as Exhibit "H")

OUR PLANS FOLLOWING DEMOLITION

We have expended significant funds to design eight affordable workforce housing units. As you all are aware the Vineyard suffers from a major shortage of employees. The MV Times frequently quotes authorities about our labor shortage, "The real problem is housing." The Oak Bluffs Master Plan features the significant need for affordable housing. The project, as we propose, is very important to the Oak Bluffs business community and will provide eight year-round affordable workforce housing units. There is no doubt that the single most critical social issue on the Vineyard is a lack of affordable housing. Our project will not solve this crisis, but it will make a difference.

M 11 P 157

CERTIFICATE OF HARDSHIP

There exists no financial justification in attempting to improve this building at this location. It would require a total gut renovation and no existing facet could be saved. There is no possible way to recoup such a huge investment.

*Demolition of entire buildings within the Historic District shall be prohibited unless the Commission deems the building architecturally insignificant to the District or **has fallen into gross disrepair through extended negligence or catastrophic mishap.*** (As per section 1 E of Cottage City Historic District, Oak Bluffs, MA. Architectural Guidelines - Bold is added for emphasis)

It is common knowledge amongst construction experts that a remodel such as this Property is far more expensive than new construction. In this case it would also include very extensive exterior expenses including all new siding, decking, trim and roof. We are probably looking at a construction cost well over \$1,000,000. When you add this to our costs to date which are excess of \$600,000 as well as financing and myriad soft costs, this means we would have to sell this remodeled single-family home on a small lot on the corner of Uncas Avenue and Circuit Avenue for well in excess of \$2,000,000. There is no market for such a property at this location.

Accordingly, there is no reasonable financial structure to retain the existing façade and we are forced to accrue costs on an ongoing basis just to own this Property.

In conclusion we cite section 10 (c) of M.G.L. c. 40C.

"(c) If the construction or alteration for which an application for a certificate of appropriateness has been filed shall be determined to be inappropriate, or in the event of an application for a certificate of hardship, the commission shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this chapter. If the commission determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, or in the event of failure to make a determination on an application within the time specified in section eleven, the commission shall cause a certificate of hardship to be issued to the applicant."

- 1. This building is far too deteriorated to justify the cost of improvements.
- 2. A close examination of this Property will show that none have a consequential historical value.
- 3. An examination of every parcel in the immediate vicinity will show that none have a consequential historical value.

In summary, there is no benefit to the community to allow this property to remain vacant, yet without approval for demolition, vacant property owner, will expend funds to resurrect this property. Demolition the community benefits in a myriad of ways: workforce housing, higher real estate taxes and...

CONCLUSION

Copeland Plan Review Committee

RECEIPT REQUESTED

EXHIBIT A
(7 pages)

Letter approving 3 Uncas Avenue from MassHousing.



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

Tel: 617.884.1000
Fax: 617.884.0881
www.masshousing.com
MassHousing: 800.786.4100 or Relay 711

February 5, 2020

Robert Sawyer
Harborwood, LLC
P.O. Box 1408
Vineyard Haven, MA 02568

Re: 3 Uncas Avenue
Project Eligibility/Site Approval
MH ID No. 1046

Dear Mr. Sawyer:

This letter is in response to your application as "Applicant" for a determination of Project Eligibility ("Site Approval") pursuant to Massachusetts General Laws Chapter 40B ("Chapter 40B"), 760 CMR 56.00 (the "Regulations") and the Comprehensive Permit Guidelines issued by the Department of Housing and Community Development ("DHCD") (the "Guidelines") and, collectively with Chapter 40B and the Regulations, the "Comprehensive Permit Rules", under the New England Fund ("NEF") Program ("the Program") of the Federal Home Loan Bank of Boston ("FHLBank Boston").

You have proposed to build eight (8) condominium units, including two (2) affordable units (the "Project") on a 7,404 square foot site located at 3 Uncas Avenue (the "Site") in Oak Bluffs (the "Municipality").

In accordance with the Comprehensive Permit Rules, this letter is intended to be a written determination of Project Eligibility by MassHousing acting as Subsidizing Agency under the Guidelines, including Part V thereof, "Housing Programs In Which Funding Is Provided By Other Than A State Agency."

MassHousing has performed an on-site inspection of the Site, which local boards and officials were invited to attend, and has reviewed the pertinent information for the Project submitted by the Applicant, the Municipality and others in accordance with the Comprehensive Permit Rules.

Municipal Comments

Pursuant to the Regulations, the Municipality was given a thirty (30) day period in which to review the Site Approval application and submit comments to MassHousing. In response to a request from Oak Bluffs submitted letters from the Board of Selectmen, the Planning Board, the Copeland Plan District Review Committee and members of the community on October 21, 2019.

Municipal comments identified the following areas of concern:

- The Municipality expressed concern that additional traffic generated by the Project could result in increased congestion on area roadways and pose safety concerns for pedestrians. They requested that the Applicant provide a traffic impact study to assess potential traffic and public safety impacts.
- The Municipality expressed concerns about the sufficient anticipated quantity of additional flow from the proposed Project.
- The Municipality stated that the proposed Site is an outstanding order in which prevents the demolition of the building.

Community Comments

In addition to the comments from town officials of the community which expressed opposition to the Project, the community generally echoed the concerns below:

- Additional traffic volume generated by the Project could result in increased congestion on area roadways and pose safety concerns for pedestrians.
- Architectural design is inconsistent with the character of the community.
- Concerns regarding trash and recycling.

MassHousing Determination

MassHousing staff has reviewed the Project and we have made the determination that the Project is eligible for funding under the NEF Program. Applicant must complete the Project Eligibility Application and submit the Project Eligibility Application to the copeland plan district review committee.

Charles D. Baker, Governor | Michael J. Drapeau, Chairman
Karin E. Pollis, Lt. Governor | Ping Tin Chai, Vice Chair
Crystal Kornejczyk, Executive Director

POSTAGE
\$10.61
PERMIT NO. 12744-02

Municipal comments identified the following areas of concern:

- The Municipality expressed concern that additional traffic generated by the Project would result in increased congestion on area roadways and pose heightened risks to drivers and pedestrians. They requested that the Applicant provide a traffic study to allow them to fully assess potential traffic and public safety impacts.
- The Municipality expressed concerns about the sufficiency of the sewer system to handle the anticipated quantity of additional flow from the proposed Project.
- The Municipality stated that the proposed Site is not suitable or feasible as a designated 40B Project since there is an outstanding order issued by the Copeland District Commission which prevents the demolition of the building currently occupying the Site.

Community Comments

In addition to the comments from town officials, MassHousing received six (6) letters from members of the community which expressed opposition to the Project. Although the letters from the community generally echoed the concerns identified by local officials, the concerns are summarized below:

- Additional traffic volume generated by the proposed development will result in unsafe public safety conditions for residents;
- Architectural design is incompatible with the surrounding neighborhood;
- Lack of proposed trash and recycle plan; and
- Concerns regarding the proposed drive-thru bank location.

MassHousing Determination and Recommendations

MassHousing staff has determined that the Project appears generally eligible under the requirements of the Program, subject to final review of eligibility and to Final Approval.¹ As a result of our review, we have made the findings as required pursuant to 760 CMR 56.04(1) and (4). Each such finding, with supporting reasoning, is set forth in further detail on Attachment 1 hereto. It is important to note that Comprehensive Permit Rules limit MassHousing to these specific findings in order to determine Project Eligibility. If, as here, MassHousing issues a determination of Project Eligibility, the Applicant may apply to the Zoning Board of Appeals ("ZBA") of the Municipality for a Comprehensive Permit. At that time, local boards, officials and members of the public are provided the opportunity to further review the Project to ensure compliance with applicable state and local standards and regulations.

Based on MassHousing's Site and design review, and in light of feedback received from the Municipality, the following issues should be addressed in your application to the ZBA, and you should be prepared to explore them more fully during the public hearing process:

¹ MassHousing has relied on the Applicant to provide truthful and complete information with respect to this approval. If at any point prior to the issuance of a comprehensive permit MassHousing determines that the Applicant has failed to disclose any information pertinent to the findings set forth in 760 CMR 56.04 or information requested in the Certification and Acknowledgment of the Application, MassHousing retains the right to rescind this Site Approval letter.

Robert M. Kane
 P.O. Box 1400
 100 State Street
 Chelsea, MA 01937
 TEL: 617-888-0314

DATE OF PERMIT: 5 JUL 10
 COMMUNITY: C.A. BK. 1008
 COMMUNITY: 17-1008-1008

100 STATE STREET
 CHELSEA, MA 01937

- Development of this Site will require compliance with all state and federal environmental laws, regulations, and standards applicable to existing conditions and to the proposed use related to floodplain management, wetland protection, river and wildlife habitat-conservation areas, stormwater management, wastewater collection treatment, hazardous waste safety, and public water supply. The Applicant should be prepared to provide evidence of such compliance.
- The Applicant should be prepared to confirm adequacy of and/or access to all proposed utilities including water, sewer, gas, and electricity.
- The Applicant should continue to engage with municipal officials in a good-faith discussion regarding design review matters and other Site related concerns, including, but not limited to issues regarding roadway design and public safety considerations, raised by local boards and officials.
- The Applicant should be prepared to provide a detailed traffic study assessing potential impacts of the Project on area roadways. The traffic study or other professional site design process should address proposed on-site circulation and parking to ensure compliance with public safety standards and good design practice relative to drive-side widths, turning radii and sight distances. The Applicant should be prepared to address concerns about provisions for safe pedestrian access and pedestrian/vehicular separation within the Site, sufficiency of resident and guest parking, and plans for snow storage.
- The Development of the Site will require resolution of the outstanding order issued by the Copeland District Commission which prevents the demolition of the building currently occupying the Site. The Applicant should expect that the Municipality will require resolution of that matter prior to the issuance of a Comprehensive Permit for the Project.

MassHousing has also reviewed the application for compliance with the requirements of 760 CMR 56.04(2) relative to Application requirements and has determined that the material provided by the Applicant is sufficient to show compliance.

This approval is expressly limited to the development of no more than eight (8) homeownership units affordable for low or moderate-income persons or families as required under the terms of the Guidelines. It is not a commitment or guarantee of financing and does not constitute a site plan or building design approval. Should you consider, prior to obtaining a Comprehensive Permit, the use of any other housing subsidy program, the construction of additional units or a reduction in the size of the Site, you may be required to submit a new site approval application for review by MassHousing. Should you consider a change in tenure type or a change in building type or height, you may be required to submit a new site approval application for review by MassHousing.

For guidance on the Comprehensive Permit review process, you are advised to consult the Guidelines. Further, we urge you to review carefully with legal counsel the M.G.L. c.40B Comprehensive Permit Regulations at 760 CMR 56.00.

This approval will be effective if the Applicant does not apply for a Comprehensive Permit within the effective period of this approval. No change will be in effect. In addition, the Comprehensive Permit, (C) then the ZBA, are filed.

Should a Comprehensive Permit be issued, the construction of the Project or (b) issuance of a Comprehensive Permit, (C) then the ZBA, are filed. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed.

Please note that MassHousing may not issue Final Approval until the time of issuing Final Approval. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed. MassHousing will be notified of the issuance of a Comprehensive Permit, (C) then the ZBA, are filed.

If you have any questions concerning this approval, please contact the Executive Director.

Sincerely,
 Chrysal K. K...
 Executive Director

Attachment 1

760 CMR 56.04 Project Eligibility: Other Responsibilities of Subsidizing Agency
Section (4) Findings and Determinations

3 Uncas Avenue, MH ID No. 1046

MassHousing hereby makes the following findings, based upon its review of the application, and in consideration of information received during the Site visit and from written comments:

(a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7);

The Project is eligible under the NEF housing subsidy program and at least 25% of the units will be available to households earning at or below 80% of the Area Median Income (AMI), adjusted for household size, as published by the U.S. Department of Housing and Urban Development ("HUD"). The most recent HUD income limits indicate that 80% of the current median income for a four-person household in Oak Bluffs is \$77,600. A letter expressing interest for Project financing was provided by Cape Cod Five, a member bank of the FHL Bank Boston.

(b) that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provided by the Municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under c.40A, and overlay districts adopted under c.40R, (such finding, with supporting reasoning, to be set forth in reasonable detail);

Based on a site inspection by MassHousing staff, internal discussions, and a thorough review of the application, MassHousing finds that the Site is suitable for residential use and development and that such use would be compatible with surrounding uses and would directly address the local need for housing.

The Town of Oak Bluffs has a DHCD-approved Housing Production Plan. According to DHCD's Chapter 40B Subsidized Housing Inventory (SHI), updated through December 18, 2019, Oak Bluffs has 119 Subsidized Housing Inventory (SHI) units (5.57% of its housing inventory), which is 95 units short of the statutory minima of 10%.

(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);

In summary, based on evaluation of the site plan using the following criteria, MassHousing finds that the proposed conceptual Project design is generally appropriate for the Site. The following plan review findings are made in response to the conceptual plan, submitted to MassHousing:

Relationship to Adjacent Building Typology (Including building massing, site arrangement, and architectural details):
The Site is located in the Cottage City Historic District of Oak Bluffs, which is known for whimsical Victorian homes. The Applicant's design plan draws on the history of the surrounding architectural

Richard M. Lippert
P. O. Box 245
Vernon, Massachusetts 01462
Tel: 978-865-1100
Fax: 978-865-1101

City of
Town of
County of
State of

Project Name: 2684-1102
Project No: 11-102-102
Contractor: REEDS

APPLICANT CONTACTED BY SERVICE UNIT: REEDS

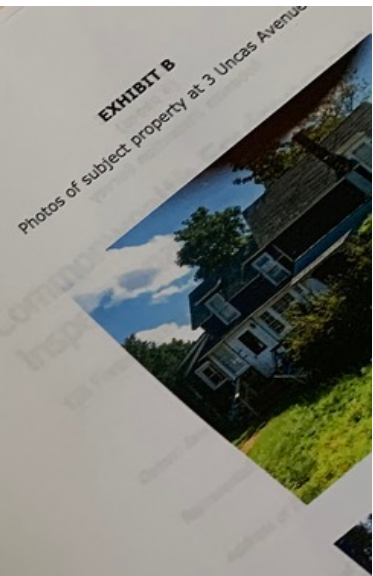
financially feasible with a projected profit margin of 16.50%. In addition, a third-party appraisal commissioned by MassHousing has determined that the "As Is" land value for the Site of the proposed Project is \$320,000.

(f) that the Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization, and it meets the general eligibility standards of the housing program; and

The Applicant must be organized as a Limited Dividend Organization prior to applying for Final Approval. MassHousing sees no reason this requirement could not be met given information reviewed to date. The Applicant meets the general eligibility standards of the NEF housing subsidy program and has executed an Acknowledgment of Obligations to restrict their profits in accordance with the applicable limited dividend provisions.

(g) that the Applicant controls the site, based on evidence that the Applicant or a related entity owns the site, or holds an option or contract to acquire such interest in the site, or has such other interest in the site as is deemed by the Subsidizing Agency to be sufficient to control the site.

The Applicant owns the Site via Deed from Trustees of Larkin B. Reeves Family Trust dated November 19, 2018 and registered with the Dukes County Registry of Deeds in Book 1484, Page 1097.



REQUESTED

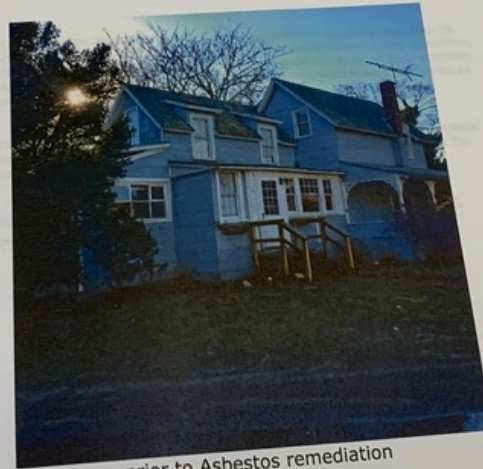
...of 14.0%, in addition a third-party appraisal
...the "as is" land value for the Site of the
...program, or a Limited Dividend
...Organization prior to applying for Final
...and the one given information
...of the NEJ Housing Authority
...that they profits in accordance
...or a related entity
...or has such other
...the site
...Trust dated
...1997

EXHIBIT B

Photos of subject property at 3 Uncas Avenue.



following Asbestos remediation

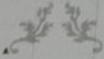


prior to Asbestos remediation

M 11
P 1510

EXHIBIT C
(4 pages)

Asbestos Inspection Survey



ASBESTOS INSPECTION SURVEY

Survey Results, Inspection Letter

NOVEMBER 16, 2018
[COMPANY NAME]
[Company address]

Commonwealth Environmental Inspectional Services

128 Forest Street, Medford, MA 02155

Owner: Sawyer Realty Group

Representative of Owner, if Applicable: Mr. Michael Saw

Address of Property: 3 Uncas Ave, Oak Bluffs, Ma.

Definition of ACM (Asbestos Containing Materials) asbestos. Materials identified as ACM that could redesign or redevelopment should be properly A Licensed Asbestos Abatement Contractor Federal, State and Local Regulations.

Asbestos inspection performed at:
Licensed Asbestos Inspector, Licen
presence of asbestos prior to re

Bulk Samples Were
Exterior Cement

INSPECTION

Commonwealth Environmental Inspectional Services

128 Forest Street, Medford, MA 02155

Owner: Sawyer Realty Group

Representative of Owner, if Applicable: Mr. Michael Sawyer

Address of Property: 3 Uncas Ave, Oak Bluffs, Ma.

Definition of ACM (Asbestos Containing Materials) means any material containing more than 1% asbestos. Materials identified as ACM that could be impacted by proposed renovation, demolition, redesign or redevelopment should be properly removed or abated prior to any of these activities. A Licensed Asbestos Abatement Contractor must conduct abatement work in accordance with all Federal, State and Local Regulations.

Asbestos Inspection performed at: On November, 12, 2018, Robert DiPrato, a Massachusetts' Licensed Asbestos Inspector, License # A1900657, inspected the house at the above address for the presence of asbestos prior to renovation/demolition, per request of the owner.

Bulk Samples Were Collected From: Flooring Materials, Adhesives, Caulking, Exterior Cementitious Shingle, Ceiling Tile and Asphalt Shingle.

Phone # 617-605-0405

Form, MA 01801 for analysts
Standard Light Microscopy
Alternative form of

12x12

- > Buried or concealed pipe trenches and utility vaults or utility corridors underground
- > Buried foundations below gradient
- > Electrical equipment/wiring non-accessible
- > Fire door interior with metal wrap exterior
- > Remnant window and door caulking that have been replaced or in-filled over many years
- > Concealed mechanical, thermal, surface and miscellaneous areas.

Commonwealth made every reasonable effort to address these potential ACMs in the building(s). However, potential remains that concealed ACMs could be encountered during any future renovation/demolition project. A Licensed Asbestos Supervisor should always be on site with a water hose during any demolition.

This investigation did not include an assessment of air quality or analyses of soil, water or ground water. No attempt has been made to check the compliance of past owners of the site with Federal, State and local authorities.

Users of this report are cautioned that this document is an inspection report, not a project specification, although it is often feasible to use this report, for example, to obtain bids for asbestos and related abatement work, so long as all Federal, State and Local Regulations are followed and all quantities are verified on site by the prospective bidders.

The asbestos containing materials that been identified must be removed by a Massachusetts Licensed Asbestos Abatement Contractor prior to any demolition/renovation. If you should require more information on this matter, please do not hesitate to contact me at 617-605-0405.

Sincerely,

Robert DaPrato
Inspector #A1900657

Phone # 617-605-0405

EXHIBIT D
Asbestos Remediation Proposal

C. Contracting, Inc.

MA LIC # AC 000574
RE: Asbestos Removal
3 Uncas Rd
Oak Bluffs, Ma.
Sawyer Realty Group

November 18, 2018

The following information shall serve as a letter of proposal for the asbestos abatement work requested for the property at 3 Uncas Rd, Oak Bluff, Ma.

The scope of work is the removal of flooring material from the first floor of the residence as well as the exterior cementitious shingles. There are two layers of linoleum. Any additional material found beneath existing floor shall be deemed additional work and not included in the original price or scope of work.

All work to be performed in strict compliance with all Federal and State regulations. At the completion of work an independent State licensed inspector shall perform all visual requirements and final air clearance sampling.

All waste shall be disposed at an E.P.A. approved landfill.

Owner shall be responsible for the supply of water and electricity to the building.

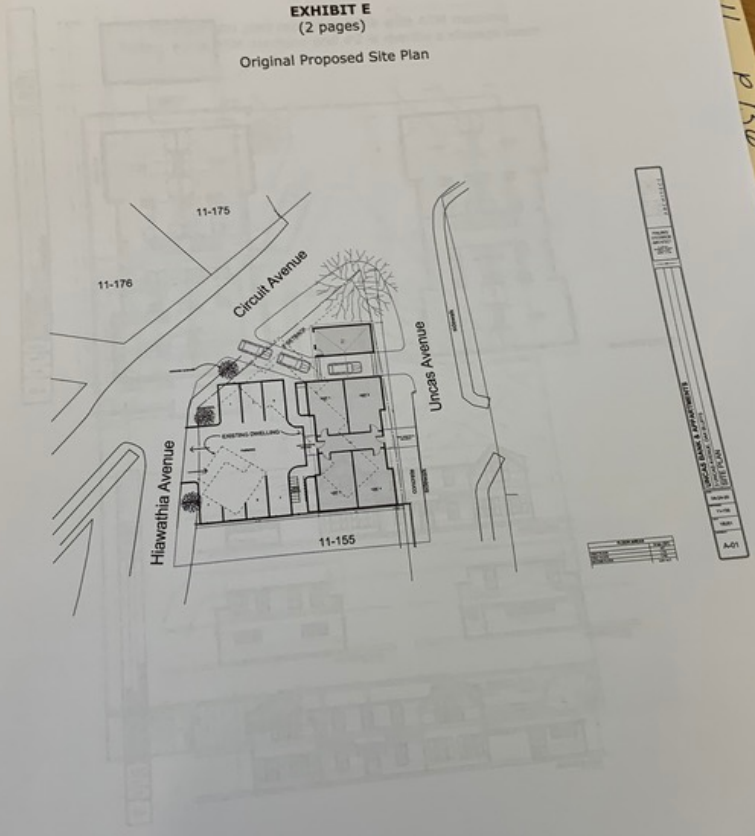
Total Cost : \$ 24,200.00 Twenty Four Thousand and Two Hundred Dollars

Sincerely,
Robert DaPrato



EXHIBIT E
(2 pages)

Original Proposed Site Plan



... abatement work
... residence as well as
... material found
... price or scope
...
... ts and

W 11
P 156

Copied by Plan Review Committee
Town of Oak Bluffs, Town Hall
56 School Street, P.O. Box 100
Oak Bluffs, MA 01530

QUESTIO

Official Plans
TOWN OF OAK
LUDLOW CITY ENGINEER
100 State Street
Oak Bluffs, MA 01530
Tel: 508-646-1111
Fax: 508-646-1112

Project Name: **UNION BANK & APARTMENTS**
Project No: **11-12-13-14-15**
Scale: **1/8" = 1'-0"**
Date: **11-12-13-14-15**

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE: [Date]

UNION BANK & APARTMENTS
FIRST FLOOR PLAN

UNION BANK & APARTMENTS
ELEVATION

EXHIBIT F
Revised site plan replacing bank with ATM.
Note: #1 is ATM machine and #2 is merely a stop.

Commercial (B-1)

1
5
7

EXHIBIT H

Photos of every abutting property on Uncas and Circuit Avenues none of which possess any significant historical architectural value and the majority are zoned and employed as commercial parcel beneath each photo. Actual common address is beneath each photo.



4 Uncas (Commercial)

13 Uncas (Commercial)

8 Uncas (Commercial)



105 Circuit Avenue

101 Circuit Avenue (Commercial)

97 Circuit Avenue (Commercial)



1 Grant Lane

119 Circuit Avenue

105 Circuit Avenue

Town of Oak Bluffs
Copeland Plan District Review Board

NOTICE OF PUBLIC HEARING
REVISED ZOOM MEETING INFORMATION

3 Uncas Avenue Map 11 Lot 156

The Copeland Plan District Review Board will hold a public hearing on
Monday, September 19, 2022 at 5:00 PM.

This is a **HYBRID** meeting with both in person and zoom participation available.
The meeting will be held in the downstairs meeting room at the Oak Bluffs Town Hall,
56 School Street, Oak Bluffs MA or via zoom:

Join Zoom Meeting

<https://oakbluffs.zoom.us/j/85345031417?pwd=RHhMcUJFcmN0MHk3TDJlcVlvTVVvQT09>

Meeting ID: 853 4503 1417
Passcode: 710542

Demolition of main house and shed

Proposed plans are on file in the Building Department at Town Hall.
Written correspondence can be addressed to Copeland Plan District Review Committee.
Attn: Lee Ann Tavares, PO Box 1327, Oak Bluffs - 02557
FAX (508) 693-5375 or email:
buildingadmin@oakbluffsma.gov



Town of Oak Bluffs Assessing Department
PO Box 1327
Oak Bluffs, MA, 02557
(508) 693-3654
FAX (508) 693-7738

RECEIVED
AUG 26 2022
Town of Assessors
Oak Bluffs, Massachusetts, 02557

CERTIFIED ABUTERS LIST REQUEST

Name of person requesting abutters list: ROBERT M. SAWYER
Address of person requesting abutters list: P O BOX 1408
VINEYARD HAVEN RD 02508
Phone: 017-688-4889
Abutters to (subject property): Map 11 Parcel 156
Map _____ Parcel _____
Street address of subject property: 3 UNCAS AVENUE

Sets of Labels 2

Check one

- Properties within 300'
 Direct abutters (includes properties across street)
 Immediate abutters (includes only properties with a common property line)
 Other (specify) _____

PLEASE SUBMIT FEE WITH APPLICATION

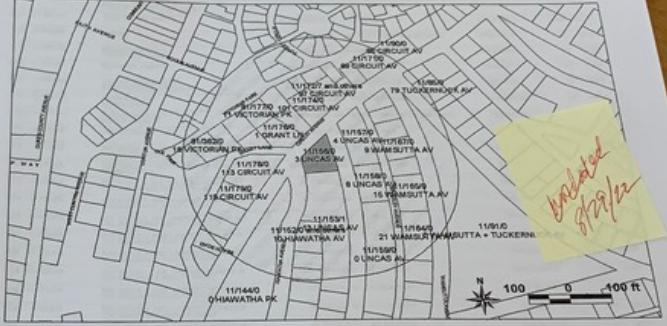
Fee: \$28.00

THANK YOU

pd
✓
119
8-29-22

TOWN OF OAK BLUFFS, MA
 BOARD OF ASSESSORS
 P.O. Box 1327, Oak Bluffs MA 02557

Abutters List Within 300 feet of Parcel 11/156/0



Row	Parcel ID	Owner	Location	Mailing Street	Mailing City	St	Zoning	County
1587	11-1-0-R	M V CAMPMEETING ASSOCIATION	80 TRINITY PK	PO BOX 1985	OAK BLUFFS	MA	02557	
1586	11-1-E-E	M V CAMPMEETING ASSOCIATION	0 MVCA	PO BOX 1985	OAK BLUFFS	MA	02557	
1669	11-81-0-R	DELLOW ALANA COLES JEREMY CHERITON	75 TUCKERNUCK AV	728 APPLEBY ST	VENICE	CA	90291	
1689	11-82-0-R	DELLOW ALANA COLES JEREMY CHERITON	77 TUCKERNUCK AV	728 APPLEBY ST	VENICE	CA	90291	
1672	11-85-0-R	ARMSTRONG ABBY ANN	79 TUCKERNUCK AV	PO BOX 2178	OAK BLUFFS	MA	02557	
1674	11-87-0-R	NASSANEY STACEY B NASSANEY RYAN A	84 CIRCUIT AV	101 LORDEEN DR	NORTH ATTLEBOROUGH	MA	02760	
1677	11-90-0-R	VERY LAMB ONE, LLC	85 CIRCUIT AV	204 BOLTON ROAD	HARVARD	MA	01451	
1678	11-91-0-E	TOWN OF OAK BLUFFS	0 WAMSUTTA + TUCKERNUCK AV	P O BOX 1327	OAK BLUFFS	MA	02557	
1732	11-144-0-E	TOWN OF OAK BLUFFS	0 HAWATHA PK	P O BOX 1327	OAK BLUFFS	MA	02557	
1739	11-150-0-R	STREETT DIANE CLARKE TRS DIANE CLARKE STREETT REVOC TRS	14 HAWATHA AV	1980 SUPERFINE LN APT 805	WILLMINGTON	DE	19802-4927	
1741	11-151-0-R	BARNETT BYRON S BARNETT KATHLEEN	12 HAWATHA AV	28 WATERFALL DRIVE UNIT A	CANTON	MA	02021-4170	
5083	11-152-0-E	HAWATHA PATH CONDOMINIUMS COMMON LAND	10 HAWATHA AV	PARCEL IS FOR GIS NOT MAILING 10 HAWATHA AVE	OAK BLUFFS	MA	02000	
5090	11-152-1-R	WILKERSON BRILLANT DONNA M	10 HAWATHA AV	91 COURT STREET	CROMWELL	CT	06416	
5091	11-152-2-R	BARMORE PEGGY LS	10 HAWATHA AV	216 SCHOOL HOUSE RD	ALBANY	NY	12203	
5095	11-152-3-R	FENG BRUCE STEVEN TRS FENG FAMILY 2016 REVOCABLE TRUST	10 HAWATHA AV	525 PALMERSTONE DRIVE	LA CANADA	CA	91011	

Owner	Location	Address	City	State	Zip/County
BONETTA PETER J DR ROSELUIGES LINDA M	9 VICTORIAN PK	728 COLDRUP RD	SOUTH GLASTONBURY	CT	06033
BOWEN WENDY ET AL	28 VICTORIAN PK	242 BELLY HAMILTON 517 SULLY AVE W04	SEBASTOPOL	GA	95472
FIELD GLEN A ELIZABETH L	11 VICTORIAN PK	PO BOX 626	DAK BLUFFS	MA	02557
REGAN ELEANOR H + JOSEPH	96 CLINTON AV	3235 PRISTINE VIEW	WILLIAMSBURG	VA	23186
LANDERS MARY L	24 RURAL CIR	P O BOX 32	DAK BLUFFS	MA	02557
HARRIS PAUL COLE JAMES LEVY FIDREY & JAMES GORDC	8 VICTORIAN PK	PO BOX 5-176	WESTPORT	CT	06880
AYER CHRISTINE C	13 VICTORIAN PK	188 CENTRE ST # 2	SOMERSET	MA	02726-0300
GROSSMAN MICHAEL J TR BO BARRY DRIVE HEALTH TRUST	1 VICTORIAN PK	80 BARRY DR	TAUNTON	MA	02780
MCGRATH COLLEEN ANNE COSTELLO	9 FOREST CIR	80 WEBSTER AVENUE #3E	SOMERVILLE	MA	02143
SCHULVIN KENNETH R MARGARET M	3 VICTORIAN PK	1775 MASSACHUSETTS AVENUE	CAMBRIDGE	MA	02140-1526
LEPERANCE ROBERTA LEPERANCE JOHN I	6 VICTORIAN PK	35 WACHUSETT RD	GARDNER	MA	01440-4120
MICHALCZYK STEPHANIE	8 FOREST CIR	PO BOX 335	DAK BLUFFS	MA	02557
MOORE BARBARA J MRS JEROME	6 FOREST CIR	810 SOUTH RENAUD	GROESBE PT WDS	MA	48236
RYAN JANET HORGAN JOHN	18 VICTORIAN PK	33 CARRIAGE LN	AMHERST	MA	01002-3336
PRESTON MARK ALAN PRESTON OLGA PATRICIA	56 VICTORIAN PK	1117 WALNUT HILL DRIVE	HILLSBOROUGH	NC	27279
STEEL HEATHER W WATSON JOHN B JR	28 RURAL CIR	1700 CEDAR CREEK RD	VAN LEER	TN	37181
WEST DOUGLAS M	4 FOREST CIR	3 TENNIS LN	CHILMARK	MA	02555

I CERTIFY THAT THE ABOVE NAMES WERE
TAKEN FROM THE MOST RECENT TAX LIST
BOARD OF ASSESSORS

M. Jumper

RECEIVED
AUG 26 2022
Board of Assessors
Oak Bluffs, Massachusetts 02557

EST

Sawyer

88
Hwy MA 02568
4889

pd # 88.00
112
829



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF OAK BLUFFS
Copeland Plan District Review Board Application

RECEIVED
2 9 2022
O.B. BUILDING DEPT
AUG 2 9 2022
O.B. BUILDING DEPT

PLEASE PRINT

Map 11 Lot 156 Street Address 3 Uncas Avenue
Property Owner Flowerwood LLC
Business Owner Robert M. Sawyer

Contact/Billing Info: P. O. Box 1408, Vineyard Haven, MA 02568. - 508-696-1900. -
robert@sawyerrealtygroup.com

Address PO Box City/Town Phone Email

Applying for a Certificate of Appropriateness: Under section 9, Section XVIII.1. D of the Zoning By-Laws

To The Copeland Plan District Review Board:
The undersigned hereby petitions the Copeland Plan District Review Board to vary the terms or grant a Certificate of Appropriateness or any action pertaining thereto of the Zoning By-Laws of the Town of Oak Bluffs Acts of April 12th, 2005 at the address located at 3 Uncas Avenue, in the Town of Oak Bluffs, in the following respect: We simply seek approval for complete demolition of existing dilapidated buildings.

~~Or any limitation, extension, change, alteration or modification of the existing building.~~
~~appear as necessary or proper in the premises.~~

State briefly reasons for application: The existing building is dilapidated and in total disrepair. A review by a licensed structural engineer has determined the property is "not habitable" and should be demolished". (see report attached) Further it has been inspected by the building inspector who also determined the building is unsafe and should be immediately boarded upon when promptly accomplished as directed. (see letter dated August 2, 2022 from the building/zoning official in Oak Bluffs)

Petitioner: Flowerwood LLC
Representative: Robert M. Sawyer, Managing Member
Mailing Address: P. O. Box 1408, Vineyard Haven, MA 02568
E-Mail :robert@sawyerrealtygroup.com -
Phone # 508-696-1900

Section XVIII Districts of Critical Planning Concern Regulations for the Town of Oak Bluffs—
Adopted by the Martha's Vineyard Commission (12/21/76)

Town of Oak Bluffs
Office of Zoning Board of Appeals
Copeland Plan District Review Board
1327 Oak Bluffs, Massachusetts 02557

THE COPELAND PLAN DISTRICT REVIEW BOARD

Town's Building Inspector on a piece of property located in the
A determination has been made that your plan must be heard
Section XVIII, L.D of the Town's Zoning By-Laws. In order
you have been directed to obtain a Certificate of
w Board. The steps necessary to be heard by the Copeland

Building Permit Application, including applicable
Collector; BOH; and Conservation Commission.

BOARD MAY DENY OR PUT YOUR
OF YOUR HEARING IF THESE SIGNATURES

est for Hearing Form. This is done either by the
The form must be signed by the property owner.

28.00 for a 300' Abutter's Parcel List. From that
Billing labels.

MUST BE ADVERTISED IN THE LOCAL
THE COPELAND PLAN DISTRICT REVIEW

istrict Review Board Application Form;
ped envelopes.

ng the existing structure(s) and the

hard + 1 electronic copy);
as required - 1 copy;

CTION PLANS COME IN
MAIL PDF FILE TO the building



DEPARTMENT OF BUILDING & ZONING
Tom Perry, Building / Zoning Official
P.O. Box 1327
Oak Bluffs, MA 02557
Ph. 508-693-3554 X122 Fax 508-693-5375

August 2, 2022

RE: 3 Uncas Ave.
Map 11 Parcel 156

To Whom It May Concern:

On Tuesday August 2, 2022, I met with John Lolley and Michael Sawyer to review
the status of the house located on the above sited address. The owner of the
property wished to ascertain whether an order to tear down could be issued.

Section 115-117 of the 2015 International Existing Building Code authorizes the
Building Official to make an assessment as to whether a building or equipment is
in imminent danger of failure or collapse. In examining the structure I am of the
opinion that this structure at this time is not in danger of imminent failure or
collapse, however I am ordering that the building be secured to prevent unlawful
entry. All openings shall be boarded up to prevent individuals from unwanted
entry. This shall be accomplished within 24 hours of receipt of this notice or no
later than 4PM on August 4, 2022.

Your anticipated cooperation in this matter is appreciated.

Sincerely,

Tom Perry
Building / Zoning Official

Received by:

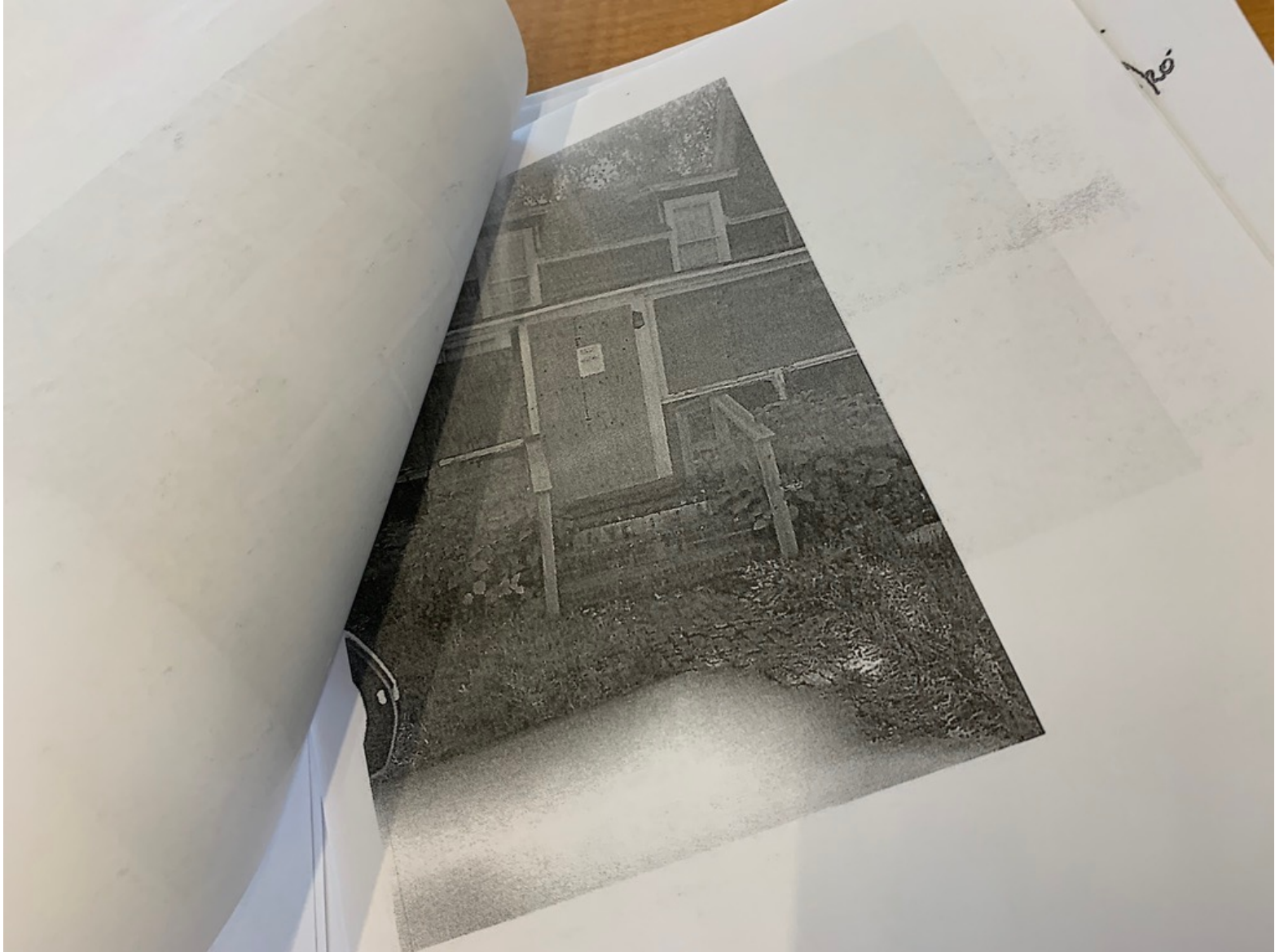
Michael Sawyer

Date and Time:

8/4/22 2:53pm

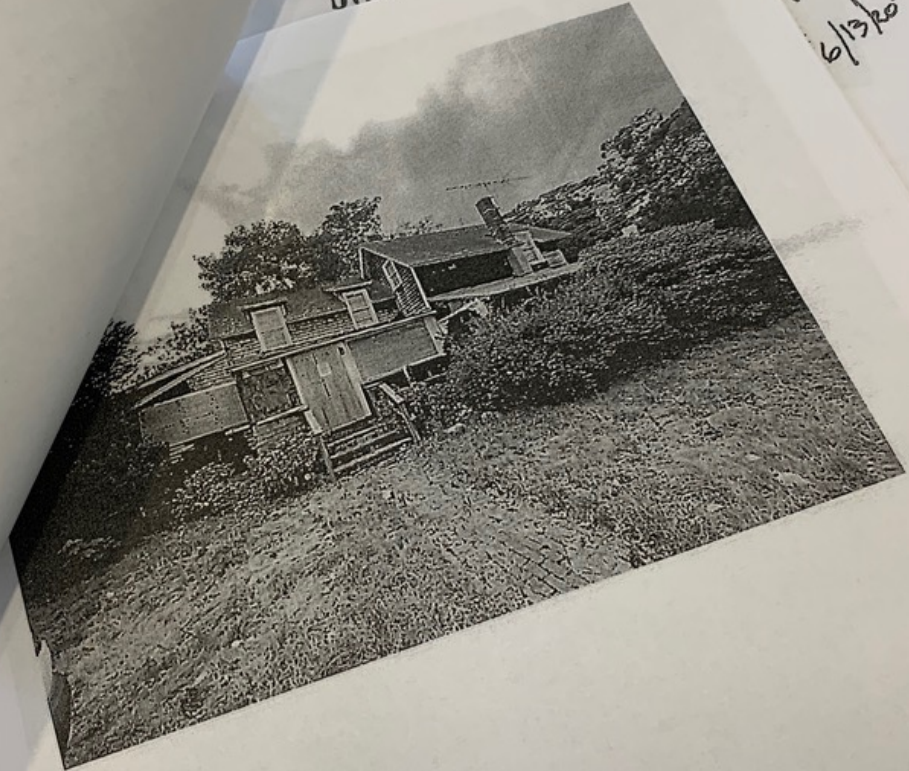
8.2.22



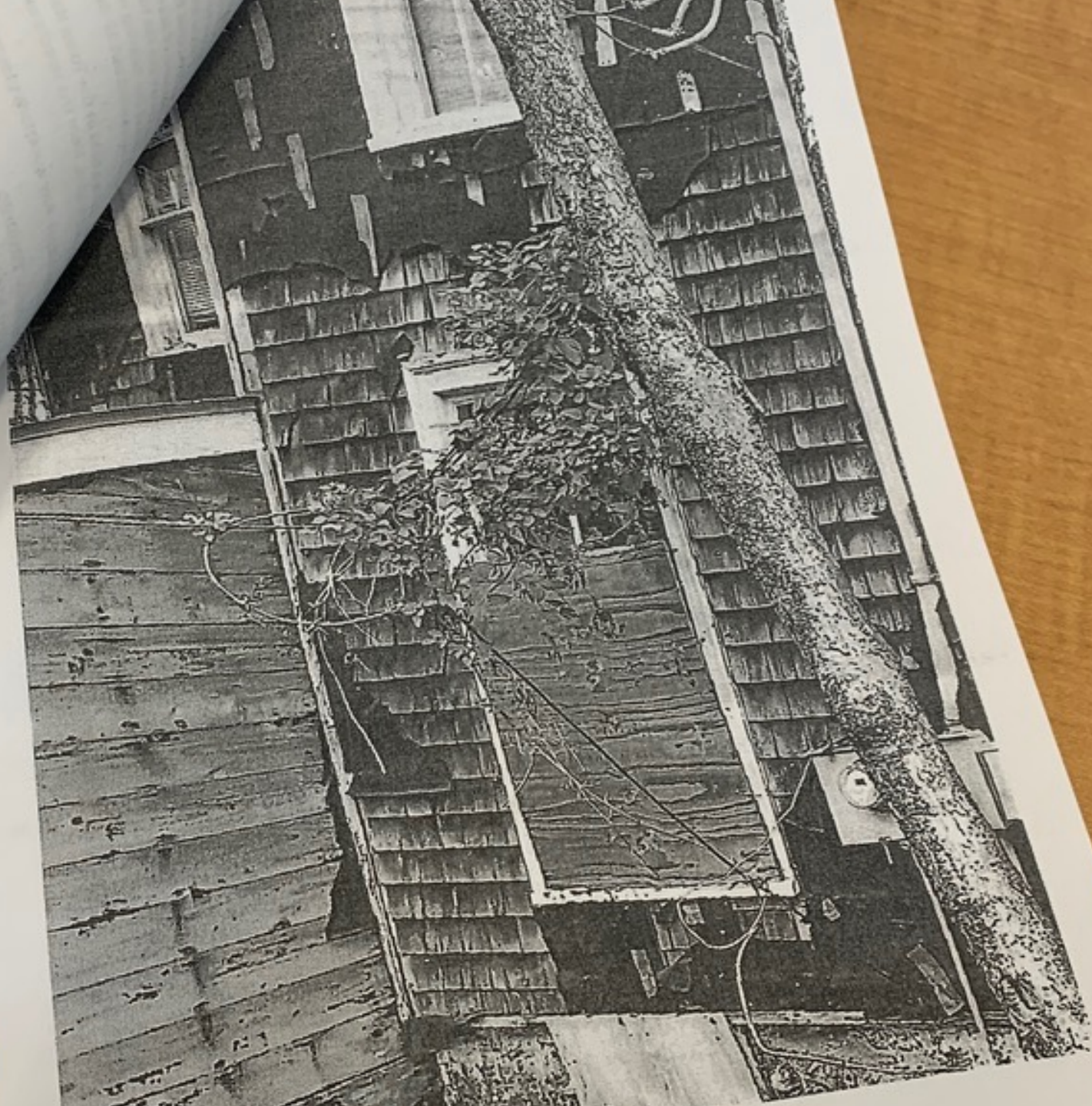


JOHN T.

PK.
6/13/20



Faint, illegible text on a document page, possibly bleed-through from the reverse side.





DEPARTMENT OF BUILDING & ZONING

Tom Perry, Building / Zoning Official

P.O. Box 1327

Oak Bluffs, MA 02557

Ph. 508-693-3554 X122 Fax 508-693-5375

August 2, 2022

RE: 3 Uncas Ave.
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Your anticipated cooperation in this matter is appreciated.

Sincerely,

Tom Perry
Building / Zoning Official

Received by:

Date and Time:

8/4/22 2:53 PM

September 19, 2022

Copeland Plan District Review Board
Attn: Lee Ann Tavares
buildingadmin@oakbluffsma.gov

To: Members of the Copeland Plan District Review Committee

I am an abutter to 3 Uncas Avenue, Oak Bluffs, and am writing to express concerns and questions I have about the request currently before the Copeland Plan District Review Board to reverse its earlier decision to deny the demolition of the aforementioned property.

3 Uncas has been vacant and unoccupied since the developers willfully and intentionally put it into a state of disrepair nearly four years ago, stripping it of its siding and allowing its interior to be trashed. It was boarded up for the first time just this summer. It's apparent the developers never had any intention of preserving the building. That said, while the request before you is to approve demolition, there are no plans publicly available as to what will replace the current structure. If it is the same plan that the developers withdrew earlier this year, we, the abutters, are on record with the Cottage City Historic District Commission about our concerns with that proposal and the request for demolition that was withdrawn by the developers in January of this year.

Abutters know what an eyesore 3 Uncas is. However, an empty, vacant lot is potentially even more of an eyesore than what's there now, especially if the owners continue to allow trash to collect on the site and for it to be overgrown with weeds and other vegetation.

Lastly, the status of the 40B application that had been driving the pace of development of 3 Uncas is unclear. I could not locate any records online showing the application process was completed. As affordable housing was central to the application, is that still the case? Is Oak Bluffs still below the 10% threshold that allowed the developers to go to the state for project approval or have the numbers improved? Are the units still going to be priced at \$175,000 and \$275,000 as stated in the 40B application? And, as more than two years have passed since MassHousing determined the projects eligibility for the Comprehensive Permit and nothing shows that the permit was ever finalized, is the current request before the Copeland Plan District Review Board the building project beginning anew?

In the absence of answers to these questions and concerns, I ask respectfully that the Board delay action on or reject the request before it to approve demolition of the current structures at 3 Uncas Avenue.

Sincerely,
Peggy Barmore
3 Uncas Avenue, Oak Bluffs



RETURN RECEIPT
REQUESTED

Copeland Plan Review Committee
Town of Oak Bluffs, Town Hall
56 School Street, P.O. Box 2490
Oak Bluffs, MA 02557

RETURN RECEIPT
REQUESTED

The Home
2nd Floor
Recurs 11/27
10/18



U.S. POSTAGE PAID
\$10.61
RESIDENT 775-61-02



Oak Bluffs Building Administrator

From: Robert S
Sent: Friday, A
To: Oak Blu
Subject: Re: 3 U

Hi Lee Ann,

Attached are photos of subject proper

Also, we have submitted request to a
stamped envelopes.

Thank you.

Robert M. Sawyer
P. O. Box 1408
Vineyard Haven, MA 0
Office: (508) 696-1900
FAX: 1-509-693-7499
Email: robert@sawyer.com
Real Estate: Consult



Oak Bluffs Building Administrator

From: Robert Sawyer <robert@sawyerrealtygroup.com>
Sent: Friday, August 26, 2022 12:47 PM
To: Oak Bluffs Building Administrator
Subject: Re: 3 Uncas, Oak Bluffs

Hi Lee Ann,

Attached are photos of subject property as requested.

Also, we have submitted request to assessors for tables and as soon as they are ready we will deliver to you with 300 stamped envelopes.

Thank you.

Robert M. Sawyer
P. O. Box 1408
Vineyard Haven, MA 02568
Office: (508) 696-1900
FAX: 1-509-693-7499
Email: robert@sawyerrealtygroup.com
Real Estate: Consultant, Writer, Instructor, Broker

The "total disrepair" cited by the owner is an admission of their own deliberate action and inaction. The owners willfully caused the dilapidation of this building and now seek to benefit from its demolition. This is especially concerning because the owners appear to adequately maintain their adjacent property – the Barn Bowl & Bistro.

Furthermore, the Town is aware that the Barn Bowl & Bistro owners have a history of disrespecting this neighborhood. There is no guarantee that the owners would conduct demolition any differently or that its aftermath would not further disrupt this quaint neighborhood. Therefore, the owner's Application should be denied.

Thank you in advance for your consideration.

Very truly yours,

Diane Street

September 19, 2022

Copeland Plan District Review Board

Attn: Lee Ann Tavares

buildingadmin@oakbluffsma.gov

To: Members of the Copeland Plan District Review Committee

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Sincerely,

Peggy Barmore

10 Hiawatha Avenue, Oak Bluffs

Cc: Gail Barmakian

MASSACHUSETTS
CITY OF OAK BLUFFS
Copeland Plan District Review Board

Copeland Plan District Review Board
10 School Street, Town Hall
Oak Bluffs, MA 02557

RECEIVED

MASSACHUSETTS
CITY OF OAK BLUFFS
\$10.61

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0 1 1



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF OAK BLUFFS
Copeland Plan District Review Board Application

RECEIVED

29 2022

AUG 29 2022

O.B. BUILDING DEPT

O.B. BUILDING DEPT

PLEASE PRINT

Map 11 Lot 156 Street Address 3 Uncas Avenue
Property Owner Flowerwood LLC
Business Owner Robert M. Sawyer

Contact/Billing Info: P. O. Box 1408, Vineyard Haven, MA 02568. - 508-696-1900. -
robert@sawyerrealtygroup.com

Address PO Box City/Town Phone Email

Applying for a Certificate of Appropriateness: Under section 9, Section XVIII. D of the Zoning By-Laws

To The Copeland Plan District Review Board:

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Or any limitation, extension, change, alteration or modification of use, or method of use as may, at the hearing, appear as necessary or proper in the premises:

State briefly reasons for application: The existing building is dilapidated and in total disrepair. A review by a licensed structural engineer has determined the property is "not suitable for human habitation and should be demolished". (see report attached) Further it has been inspected by the building inspector who also determined the building is unsafe and should be immediately boarded upon which was promptly accomplished as directed. (see letter dated August 2, 2022 from the building/zoning official in Oak Bluffs)

Petitioner: Flowerwood LLC
Representative: Robert M. Sawyer, Managing Member

Mailing Address: P. O. Box 1408, Vineyard Haven, MA 02568
E-Mail :robert@sawyerrealtygroup.com -
Phone # 508-696-1900

Section XVIII Districts of Critical Planning Concern Regulations for the Town of Oak Bluffs—
Adopted by the Martha's Vineyard Commission (12/21/76)



Town of Oak Bluffs
Office of Zoning Board of Appeals
Copeland Plan District Review Board
P.O. Box 1327 Oak Bluffs, Massachusetts 02557



INSTRUCTIONS FOR APPLYING TO THE COPELAND PLAN DISTRICT REVIEW BOARD

Dear Applicant:

You have submitted a construction plan to the Town's Building Inspector on a piece of property located in the Town of Oak Bluffs in the Copeland Plan District. A determination has been made that your plan must be heard by the Copeland Review Committee per section 9, Section XVIII.D of the Town's Zoning By-Laws. In order for you to continue with the building permit process, you have been directed to obtain a **Certificate of Appropriateness** by the Copeland Plan District Review Board. The steps necessary to be heard by the Copeland Plan District Review Board are as follows:

1. Complete the **Town-Express, Minor Structural or Building Permit** Application, including applicable signatures from the Town Departments: **Assessor; Tax Collector; BOH; and Conservation Commission.**

(NOTE: THE COPELAND PLAN DISTRICT REVIEW BOARD MAY DENY OR PUT YOUR APPLICATION INTO A CONTINUANCE AT THE TIME OF YOUR HEARING IF THESE SIGNATURES HAVE NOT BEEN OBTAINED.)

2. Complete this **Copeland Plan District Review Board Request for Hearing Form**. This is done either by the applicant or his/her representative with a letter stating such. The form **must** be signed by the property owner.

3. Proceed to the Town Hall Building Assessor's Office. Pay \$28.00 for a 300' Abutter's Parcel List. From that office you will receive a list of certified abutters, 2 maps and mailing labels.

(NOTE: THE PUBLIC HEARING NOTICE, BY STATE LAW, MUST BE ADVERTISED IN THE LOCAL PAPERS TWO WEEKS PRIOR TO YOUR MEETING WITH THE COPELAND PLAN DISTRICT REVIEW BOARD.)

4. Return to the building department with the following documents:
 - A) Completed building permit application and the Copeland Plan District Review Board Application Form;
 - B) The Assessor's Package (300 foot abutter notification); and stamped envelopes.
 - C) Engineer Certified site plans (by registered land surveyor), showing the existing structure(s) and the development proposal - 2 copies;
 - D) Construction plans included in the building permit application - (2 hard + 1 electronic copy);
 - E) Documentation from any other town boards where by-law review was required - 1 copy;

(NOTE: THE TOWN NOW REQUIRES ALL PROPOSED CONSTRUCTION PLANS COME IN ELECTRONIC FORMAT. PLEASE PROVIDE EITHER DVD OR E-MAIL PDF FILE TO the building department at buildingadmin@oakbluffsma.gov

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES

P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327

508 693 - 3554 x 123

Meeting of Monday September 19, 2022, 5:00pm

Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barnakian, Shelley Christianson, Ewell Hopkins, Amy Billings, Barbara Baskins

Chairman opened the public meeting at 5:06PM

License: Ass Man 11 Parcel 156

Robert Sawyer, owner was present via Zoom.

Demolition of main house and shed

History:

Request for demolition previously denied March 18, 2019

The structure has a relationship with the District

Elective Demolition

No condemnation determination

Submissions

Application

Letter from John Lolley, PE dated July 11, 2022

Letter from Tom Perry, Building Official dated August 2, 2022

Letter in opposition to the project from Diane Streett dated September 19, 2022

Letter in opposition to the project from Peggy Barnmore dated September 19, 2022

Photos of property

(There were no plans for the proposed new development on site)

Minutes of March 18, 2019

Gail stated that this project was denied in 2019 and didn't know he could apply again for the same request unless there was something materially different. She stated that he could make the presentation but didn't know if he could go forward with a similar application without anything materially different. Robert Sawyer stated that he is here purely and simply to obtain permission to demolish this building. He added that he was told to get a structural engineer and the Building Inspector to look at the building. He presented a report and a letter from the Building Official who viewed the property. He stated that the Structural Engineer's opinion was that the building should be demolished, and it is not fit for human habitation. He added that the Building Official inspected it also and a statement from him ordering the building to be boarded up within 24hrs because it was dangerous and they didn't want anyone to go in there. He said the bottom line is that it needs to be demolished. He added that it is surrounded by commercial property and that it hasn't had any improvements in 30-40 years, there are no occupants and that he owns the property and it cost them to hold onto this property because they have no income from it. Gail stated that he knew that it was historical property and you are here because you are in the Copeland district and in the Historical District and you have bought something that's on the State

Completed this form
for the Building Department
Office of Zoning Board of Appeals
Copeland Plan District Review Board
P.O. Box 1327 Oak Bluffs, MA 02557

MAILED
\$10.61
SEP 20 2022

MAILED
SEP 20 2022

Historical Register. She noted that he has owned the building for many years and has done nothing to it and made no improvements. She added that there was a generational family living in that home. She stated that at the last hearing they called this voluntary and that you voluntarily let this house go into disrepair and the reason the Building Inspector had this boarded Gail stated that he has come back with the same argument and has done nothing to the house. He is a real estate agent and he knew what he was buying. Gail presented a copy of the minutes from March 18, 2019 to the Board.

Shelley acknowledged that unlike the last meeting he brought a report from both an engineer and the building inspector as the Board had requested or suggested might help his application, adding that she appreciated it. She noted a discrepancy that she felt was meaningful between the engineer and the subsequent determination of the Building Inspector. The engineer indicated that the structure is not suitable for human habitation and therefore should be demolished. The building inspector goes further and saying that it is not in danger of imminent failure or collapse so although they are related they are very different conclusions. Barbara agrees with Shelley. She noted that the engineer's report never said the building could not be repaired and that is important. The Building Official clearly believes that it could be repaired.

Robert responded that there hadn't been year-round family living in there for dozens of years. Gail corrected him noting that she had said "generational" family there and that she had not said year round. Robert continued saying it was 5-6 years ago the last time they occupied the property. The Building Official says that under state code he can only order demolition if the building is in eminent danger of collapsing by itself, which apparently is not the case. Robert added that it is not financially feasible to repair this building. He added that when the Board suggests that he can spend money here that's his money. He added that the Board would not spend their money here as it is throwing good money after bad. Shelley stated that they are not the financial feasibility committee, they are the Historic committee.

Gail stated that when he purchased the property there were people living in it. He then took out the asbestos and made the building the way it is now. She added that he voluntarily made the building the way it is. He is as sophisticated buyer.

Shelley asking for demolition is not complying with the requests of Copeland other than having an engineer's report which does not comply with Copeland regulations. Also, the Building Inspector does not condemn the building and says that you can fix it.

Gail stated that for whatever reason you bought the property you knew was protected, you let it go. The applicant is asking for a demolition that does not comply. Additionally the Building Inspector does not condemn the building. Barbara stated that she was in agreement with Gail. The Board previously voted no demolition for this building and he made zero effort to improve the building. The Board said you can't demolish it so your option was to fix it. There was no submitted proof of financial hardship to fix and no accurate costs to correct. She added that there has been absolutely no effort to take into consideration the condition of the building and it is a very historical building. She noted that she doesn't see anything different today. She sees a building that needs repair and can be repaired.

Gail stated that she has letters from abutters and asked for public comment. Dianne Streett, 14 Hiawatha stated that she would like her letter read into the record. She added that in the courtroom there is a saying that you can't kill your parents and then ask for mercy

from the court because you are an orphan noting that is the situation here. You can't destroy deliberately, intentionally commit a bad act and destroy something and then ask for a benefit from it. She asked the Board to take that into consideration. She said the argument had been raised that it is expensive to rehabilitate the building and the issue is that they bought it knowing what the condition was of the building adding that they can maintain the Barn & Bistro so it is unclear why they cannot maintain the building and the shed. She thanked the Board for their consideration. Gail read her letter into the record.

Byron Barnett, 12 Hiawatha Av commented on points made by Mr. Sawyer. Throwing good money after bad when he spent money to purchase the property and then removing the siding and turned it into an eyesore. He stated that he knew people living there shortly before that. He thinks it is terrible that Mr. Sawyer has let that happen in the neighborhood. Byron disagrees that the property is surrounded by commercial property. On the contrary the Barn is surrounded by residential property. He added that this property was not an eyesore before Mr. Sawyer bought it. He added that the property was not an eyesore before Mr. Sawyer's group bought it. He thought that it's deliberately done and he requested that the application be denied.

Katherine Kohler, 6 Hiawatha Av noted concern about a pattern not just specific to this particular house but on the Island of acquiring homes and leaving them to deliberate neglect and then empower people to demolish them. She added that what is most chilling is setting a precedent with other projects on the island not just in her neighborhood, her concern is for the whole Island.

Gail stated that the comment regarding a commercial neighborhood is irrelevant and what is relevant is that it is in Copeland and has to comply with the demolition requirements for Copeland and that's what the Board's findings will be.

Amy Billings stated that she wanted to make it clear that she is speaking personally and therefore recusing herself from this part of the hearing. She added that everything is accurate that the neighbors are saying. She wants to make sure that everyone looks at the timeline and looking at how it got into the shape it is in. It is accurate that it was livable, it needed a lot of work but there are a lot of houses around Oak Bluffs, especially in Cottage City Historic District and Copeland that have been renovated. A lot of the newly renovated homes are about the same age as this house and some even older.

Gail asked Mr. Sawyer if he had anything else to say. He replied that there was nothing to say and he has listened to all of your decisions. Gail asked for a motion.

Barbara made a motion to deny the application based on the fact that it does not meet the requirements of Copeland and it is an elective demolition. Ewell seconded. The motion passed 4-0 (Amy recused herself)

Gail Barmakian

Other Business

Ewell asked about updating the Copeland web page to provide more direction for future applicants or the Board's expectations. Updates will include the Board member list as well.

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327
508 693 - 3554 x 123

Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbara Baskins

Chairman opened the public meeting at 5:06PM

25 Huntington Av Map 9 parcel 51

Applicant: Kym Lew Nelson, homeowner who was present via ZOOM
Dave Parent represented the applicant

Demo one existing bedroom on the first floor and rebuild the bedroom with proper foundation.

The existing second floor bedroom will expand above this bedroom. A walkout balcony will be added to the expanded second floor bedroom. A full bath will be added to the second floor. Will keep same Victorian style architecture and will not change the footprint.

Dave described the project noting the existing foundation would not support the proposed second story to be added to the end of the house. 3 shed dormers proposed. One is a balcony. Gail asked what is next to the property noting Copeland's concern regarding views. Kym stated there is a house and garage in the back to the left of her property, nothing across the street. The Board discussed if the proposed project would block the view of the neighbor in the back. Amy stated that this area is on the outer edge of Copeland on top of Sunset. Kym stated she did not have a view of the lake or park. The house/garage behind is Mr. Walker's and would not be blocked by the addition. Kym stated he faces his driveway and a dirt road. She added that there was a tree right between the two of them. Correspondence was received from John & Barbara Cruz, 25 Greenleaf Ave. in support of the project. Amy made a motion to approve the application of 25 Huntington Ave. as presented. Shelley seconded. The motion passed 5-0.

Gail Barmakian

Amy stated that he was physician and lives a block away from this project. He noted that that is a residential area and the project does not enhance the area. He also noted he received calls from residents regarding noise and asked about using the Police Department and instead Ed stated that this is a small cell, low power system and is in compliance with FCC regulations. To put it on private property would require an agreement and they are not looking to get into any agreements. They already have permission to mark within public right of way. Amy asked if coverage problems could be due to the big buildings in the area and Ed replied yes. He stated the Sunset Camp has a low profile antenna inside the camp, but the service is diminished by coverage and buildings blocking the signal. James asked again if he could guarantee 100% that the project would not be adversely affected by this antenna. Ed stated that it is not debatable if they comply with the FCC regulations. He stated that the antenna is above viewlines, height and human significance. This will go before the Selectboard and could be discussed at the

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327
508 693 - 3554 x 123
Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbara Baskins

Chairman opened the public meeting at 5:06PM

14 Sea View Ave Ext. Map 9 Parcel 51

Applicant: New Cingular Wireless PCS, LLC.
Ed Pare, Attorney with Brown Rudnick represented the applicant
Installation of small cell wireless facility on a replacement utility pole

Ed gave a description of the proposed work. He noted that the work was similar to those he had previously presented. The Existing pole will be replaced, and the light will be moved onto the new pole. The radio boxes have been removed from the typical shroud and placed directly on the pole providing a lower profile. Photos were presented showing the existing pole and a conceptual design of the proposed replacement. He also provided a map of the coverage area they have targeted which will bring better reception to the homes in the area down to the beach and to the Island Queen dock. He presented this project at Cottage City Historic District Commission hearing, and they asked for alternative sites. He showed a survey of alternate locations which listed the viability of each location. Poles with an existing riser or transformer were rejected by the power company. Pole L was the only one that was a possibility, but it too had a light and would be in front of a neighbor. The height of the pole includes the required distance (48") from the light to the antenna. Coverage and capacity will be improved by this new antenna. The setup at Summer Camp is being strained by all the additional traffic coming from the beach/dock area.

Ed stated the proposed pole will be about 9'9" higher than the existing pole. The new system will alleviate some of that. Ewell asked if this new smaller profile would be used going forward or is it just for this application. Ed replied it is not the preferred method and it would be on a case by case basis. Ewell noted that it was not presented for the Circuit Ave/Vineyard Vines proposal. Ed replied that they felt the opposition was strong enough that the project wouldn't be approved regardless.

Gail asked about prior poles and the additional height adding that 10' is significant in sensitive areas.

Ed stated that the project was continued at Cottage City. The streetlight is one of the complicated matters due to the separation needed between the light and the antenna. He added that a pole without a light would help.

Gail stated that a streetlight can be removed if the town requests it.

Barbara Baskin noted that the streetlight draws attention to the pole. Amy asked if Pole L has a light and Ed responded yes.

Jason Lew, 26 Seaview Ave stated that he was physician and lives a block away from this project. He noted that this is a residential area and the project does not enhance the area. He also stated he received calls from residents regarding radiation. He asked about using the Police Department roof instead. Ed stated that this is a small cell, low power system and it fully complies with FCC regulations. To put it on private property would require an agreement and they are not looking to get into any agreements. They already have permission to work within public right of ways.

Amy asks if coverage problems could be due to the big buildings in the area and Ed replied yes. He added that Summer Camp has a low profile system inside the cupola, but the service is diminished by foliage and buildings blocking the signal.

Jason asked again if he could guarantee 100% that the people would not be adversely affected by this antenna. Gail stated that it is not debatable if they comply with the FCC regulations. She adds that his hearing is about viewscapes, height and historic significance. This will go before the Selectboard and could be discussed at that time.

Mail Stop 1000
1700 Main Street
Oak Bluffs, MA 02557
Attention: [unclear]

10/18/22
\$10.61
[unclear]

Aaron Naparstek, 6 Saco Ave stated he had good service and questioned if a business or homeowner had requested additional service. He noted that he is an AT&T customer and appreciated their efforts to improve closer to downtown might have more demand. Ed noted that this is a small area and a location small cell system does not have a big bang for the buck - a 10% of a mile coverage. Aaron asked about other Frank Williams, 5 Saco stated that they need the light as it is the only working light. He also asks about the pole. Ed assured him that they are not redirecting anyone's service. The existing lines will be put on the new pole.

Bella Ruth Naparstek stated that there is tension between commercial needs and residential needs in that area. This "tall missile" has no place the entry place that people see. The needs of the commercial side should not be taken into the residential area. She added that it is not consistent with the look and feel of the area. She noted that Copeland has been wonderful and the other boards have helped to keep the area protected. Ed stated that if the flagpole was on a public right of way it could be considered but it is not. Ewell is concerned that they do not have all the other options from AT & T on the table. He adds that this option was not offered for Circuit Av. so is there more we can consider? Are there any alternatives that can minimize the effects in Copeland? Height seems to be the biggest objection.

Amy Ruth dominates the scene and it is on the water and in the middle of a residential area. She agrees with Bella Ruth that commercial needs seem to be springing out. She adds that top-notch service is not necessary at the beach. Protecting the character is important. They will be going back to Cottage City Historic District in October. Ed said he would look to see what they can do to come up with a design for both boards, perhaps lowering the height. They could possibly lower the light. He added that there are limitations on the poles. Frank asks about moving the lines to other poles. Aaron asks if they could look at the survey again as it was done quickly. He questioned the rejection of poles with risers. Ed stated that Eversource will not license that pole to AT & T.

Ed requests a continuance to October 24, 2022 (no quorum on typical date) (0:27)
Ewell made a motion to continue the hearing for 14 Sea View Av Ext to October 24, 2022. Amy seconded.
The motion passed 5-0

Gail Barmakian

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327
508 693 - 3554 x 123
Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbem Baskins

Chairman opened the public meeting at 5:06PM

New Business

122 Sea View Av. Man 18 Parcel 16A
Applicant Melissa Bradley - Not present
Construction of a free standing platform for daily yoga practice for therapeutic pain management of degenerative hip disease.

Applicant requested this hearing be continued to November 21, 2022. Ewell made a motion to continue the hearing for 125 Sea View Av to November 21, 2022. Amy seconded the motion passed 5-0.

Gail Barmakian 10/15/22
Gail Barmakian

9.19.22

A TRUE COPY ATTEST

Cybil E. Hemin
TOWN CLERK OF
OAK BLUFFS, MA.

Oak Bluffs, MA
Town Clerk's Office
Oct 18 2022
Rec'd for Record
AT H M M
345 PM

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557-1327
508 693-3554 x 123
Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barnakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbara Baskin

Chairman opened the public meeting at 5:06PM

14 Sea View Ave Ext. Man 2 Parcel 51

Applicant: New Cingular Wireless PCS, LLC.
Ed Pare, Attorney with Brown Rudnick represented the applicant
Installation of small cell wireless facility on a replacement utility pole

Ed gave a description of the proposed work. He noted that the work was similar to those he had previously presented. The Existing pole will be replaced, and the light will be moved onto the new pole. The radio boxes have been removed from the typical shroud and placed directly on the pole providing a lower profile. Photos were presented showing the existing pole and a conceptual design of the proposed replacement. He also provided a map of the coverage area they have targeted which will bring better reception to the homes in the area down to the beach and to the Island Queen dock. He presented this project at Cottage City Historic District Commission hearing, and they asked for alternative sites. He showed a survey of alternate locations which listed the viability of each location. Poles with an existing riser or transformer were rejected by the company. Pole L was the only one that was a possibility, but it too had a light and would be in front of a neighbor. The height of the pole includes the required distance (48") from the light to the antenna. Coverage and capacity will be improved by this new antenna. The setup at Summer Camp is being strained by all the additional traffic coming from the beach/dock area.

Ed stated the proposed pole will be about 9'9" higher than the existing pole. The new system will be a smaller profile would be used going forward. Ewell asked if this new smaller profile would be used going forward in other areas. Ed stated that some of that. Ewell asked if this new smaller profile would be used going forward in other areas. Ed stated that application. Ed replied it is not the preferred method and it would be on a case by case basis. Ewell stated that it was not presented for the Circuit Ave/Vineyard Vines proposal. Ed replied that they felt the proposal was strong enough that the project wouldn't be approved regardless.

Gail asked about prior poles and the additional height adding that 10' is significant. Ed stated that the project was continued at Cottage City. The streetlight is one of the poles that was removed to the separation needed between the light and the antenna. He added that a pole was removed from the area. Gail stated that a streetlight can be removed if the town requests it.

Barbara Baskin noted that the streetlight draws attention to the pole. Amy asked if the streetlight could be removed. Ed responded yes.

Jason Lew, 26 Seaview Ave stated that he was physician and lives a block away from this project. He noted that this is a residential area and the project does not enhance the area. He also stated he received calls from residents regarding radiation. He asked about using the Police Department roof instead. Ed stated that this is a small cell, low power system and it fully complies with FCC regulations. To put it on private property would require an agreement and they are not looking to get into any agreements. They already have permission to work within public right of ways.

Amy asks if coverage problems could be due to the big buildings in the area and Ed replied yes. He added that Summer Camp has a low profile system inside the cupola, but the service is diminished by foliage and buildings blocking the signal.

Jason asked again if he could guarantee 100% that the people would not be adversely affected by this antenna. Gail stated that it is not debatable if they comply with the FCC regulations. She adds that his hearing is about viewscape, height and historic significance. This will go before the Selectboard and could be discussed at that time.

9-19-22
Approved

Aaron Naporstek, 6 Saco Ave stated he had good service and questioned if a business or homeowner had requested additional service. He noted that he is an AT&T customer and appreciated their efforts to improve their service. Ed stated he was not aware of any calls. Aaron opined that this is a small area and a location closer to downtown might have more demand. Ed noted that more proposals will be coming. He stated that the small cell system does not have a big bang for the buck - a 10th of a mile coverage. Aaron asked about other poles and Ed described the reasons they were not viable. Frank Williams, 5 Saco stated that they need the light as it is the only working light. He also asks about the flagpole at the bathrooms or at the Police station. He also asked about redirecting a neighbor's service off the pole. Ed assured him that they are not redirecting anyone's service. The existing lines will be put on the new pole.

Bella Ruth Naporstek stated that there is tension between commercial needs and residential needs in that area. This "tall missile" has no place the entry place that people see. The needs of the commercial side should not be taken into the residential area. She added that it is not consistent with the look and feel of the area. She noted that Copeland has been wonderful and the other boards have helped to keep the area protected. Ed stated that if the flagpole was on a public right of way it could be considered but it is not.

Ewell is concerned that they do not have all the other options from AT & T on the table. He adds that this option was not offered for Circuit Av.so is there more we can consider? Are there any alternatives that can minimize the effects in Copeland? Height seems to be the biggest objection.

Amy feels it dominates the scene and it is on the water and in the middle of a residential area. She agrees with Bella Ruth that commercial needs seem to be winning out. She adds that top-notch service is not necessary at the beach. Protecting the character is important. They will be going back to Cottage City Historic District in October. Ed said he would look to see what they can do to come up with a design for both boards, perhaps lowering the height. They could possibly lower the light. He added that there are limitations on the poles. Frank asks about moving the lines to other poles. Aaron asks if they could look at the survey again as it was done quickly. He questioned the rejection of poles with risers. Ed stated that Eversource will not license that pole to AT & T.

Ed requests a continuance to October 24, 2022(no quorum on typical date 0/27)

Ewell made a motion to continue the hearing for 14 Sea View Ave Ext to October 24, 2022. Amy seconded.

The motion passed 5-0

Gail Barmakian
Gail Barmakian 10/18/22

A TRUE COPY ATTEST:

Colleen E. Morine
TOWN CLERK OF
OAK BLUFFS, MA.

Oak Bluffs, MA
Town Clerk's Office
Oct 18 2022
Rec'd for Record
AT H M M

3:45 PM

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327
508 693 - 3554 x 123
Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christianson, Ewell Hopkins, Amy Billings, Barbara Baskins

Chairman opened the public-meeting at 5:06PM

25 Huntington Av Map 9 parcel 51

Applicant: Kym Lew Nelson, homeowner who was present via ZOOM

Dave Parent represented the applicant

Demo one existing bedroom on the first floor and rebuild the bedroom with proper foundation.

The existing second floor bedroom will expand above this bedroom. A walk added to the expanded second floor bedroom. A full bath will be added to keep same Victorian style architecture and will not change the footprint.

Dave described the project noting the existing foundation would not support second story to be added to the end of the house. 3 shed dormers proposed. Gail asked what is next to the property noting Copeland's concern regarding stated there is a house and garage in the back to the left of her property.

The Board discussed if the proposed project would block the view of the lake. Amy stated that this area is on the outer edge of Copeland on top of S... would not have a view of the lake or park. The house/garage behind is Mr. Walker's... are blocked by the addition. Kym stated he faces his driveway and a dirt road. She added... was a tree right between the two of them. Correspondence was received from John & Barbara Cruz, 25 Greenleaf Ave. in support of the project.

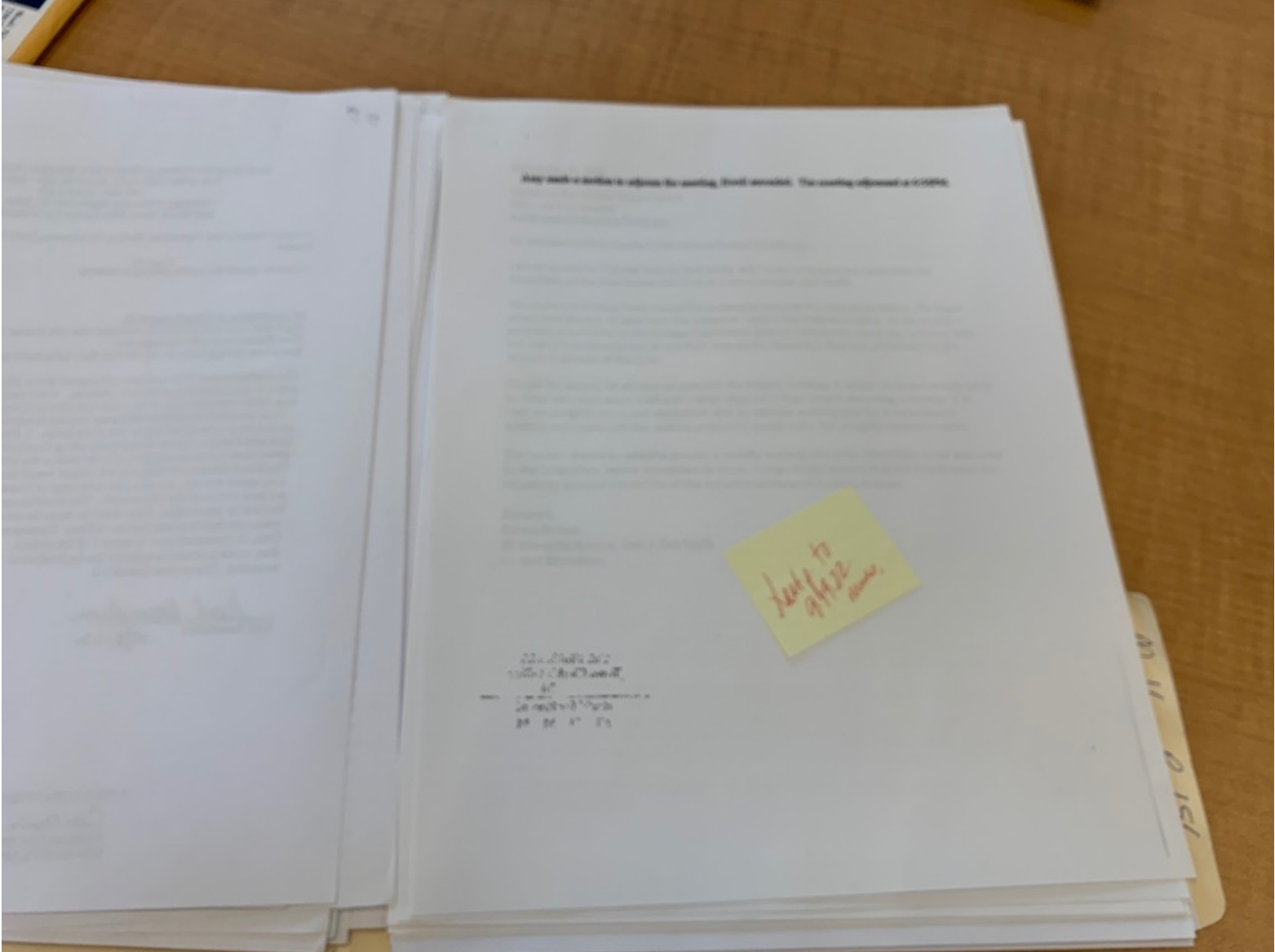
Amy made a motion to approve the application of 25 Huntington Ave. as presented. Shelley seconded. The motion passed 5-0.

Gail Barmakian
Gail Barmakian 10/18/22

A TRUE COPY ATTEST:

Gillian E. Manine
TOWN CLERK OF
OAK BLUFFS, MA.

Oak Bluffs, MA
Town Clerk's Office
Oct 18 2022
Rec'd for Record
AT H M M
3:45 PM



They seek a solution to the problem. The solution offered is a...

Sent to Alice

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Mark T. ...
2025 ...
...

September 19, 2022

Copeland Plan District Review Board
Attn: Lee Ann Tavares
buildingadmin@oakbluffsma.gov

To: Members of the Copeland Plan District Review Committee

I am an abutter to 3 Uncas Avenue, Oak Bluffs, and I write to oppose the Application for Demolition of the Main house and Shed at 3 Uncas Avenue, Oak Bluffs.

The owners of 3 Uncas have caused the building to become in a state dilapidation. Please be aware that there is no plan from the owners to replace the historic building. As an abutter, I provided information to the Cottage City Historic District Commission about my concerns with the owner's previous proposal and their request for demolition that was withdrawn by the owners in January of this year.

Should the owners be allowed to demolish the historic building, it would cause an empty lot to be filled with even more trash and unkept vegetation than what is occurring currently. It is truly an unsightly scene and demolition with no definite working plan for a replacement building consistent with the existing properties would make this unsightly property worse.

The owners should be asked to provide a specific working plan after demolition to be approved by the committee, before demolition to occur. I respectfully request that the Board reject the request to approve demolition of the current structures at 3 Uncas Avenue.

Sincerely,
Donna Brilliant
10 Hiawatha Avenue, Unit A Oak Bluffs
Cc: Gail Barmakian

M 11 P 15h

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327

508 693 - 3554 x 123
Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbara Baskins
Chairman opened the public hearing at 5:06PM

New Business

125 Sea View Av Map 10 Parcel 162

Construction of a free standing platform for daily yoga practice for therapeutic pain management of degenerative hip disease.
Applicant requested this hearing be continued to November 21, 2022. Ewell made a motion to continue the hearing for 125 Sea View Av to November 21, 2022. Amy seconded the motion. Motion passed 5-0.

14 Sea View Ave Ext. Map 9 Parcel 51

Installation of small cell wireless facility on a replacement utility pole
Ed Pare, Attorney with Brown Rudnick represented AT & T. Ed gave a description of the proposed work. He noted that the work was similar to those he had previously presented. The Existing pole will be replaced, and the light will be moved onto the new pole. The radio boxes have been removed from the typical shroud and placed directly on the pole providing a lower profile. Photos were presented showing the existing pole and a conceptual design of the proposed replacement. He also provided a map of the coverage area they have targeted which will bring better reception to the homes in the area down to the beach and to the Island Queen dock. He presented this project at Cottage City Historic District Commission hearing, and they asked for alternative sites. He showed a survey of alternate locations which listed the viability of each location. Poles with an existing riser or transformer were rejected by the power company. Pole L was the only one that was a possibility, but it too had a light and would be in front of a neighbor. The height of the pole includes the required distance (48") from the light to the antenna. Coverage and capacity will be improved by this new antenna. The setup at Summer Camp is being strained by all the additional traffic coming from the beach/dock area. Ed stated the proposed pole will be about 9'9" higher than the existing pole. The new system will alleviate some of that. Ewell asked if this new smaller profile would be used going forward or is it just for this application. Ed replied it is not the preferred method and it would be on a case by case basis. Ewell noted that it was not presented for the Circuit Ave/Vineyard Vines proposal. Ed replied that they felt the opposition was strong enough that the project wouldn't be approved regardless.
Gail asked about prior poles and the additional height adding that 10' is significant in sensitive areas.
Ed stated that the project was continued at Cottage City. The streetlight is one of the complicated matters due to the separation needed between the light and the antenna. He added that a pole without a light would help. Gail stated that a streetlight can be removed if the town requests it.
Barbara Baskin noted that the streetlight draws attention to the pole. Amy asked if Pole L has a light and Ed responded yes.

Jason Lew, 26 Seaview Ave stated that he was physician and lives a block away from this project. He noted that this is a residential area and the project does not enhance the area. He also stated he received calls from residents regarding radiation. He asked about using the Police Department roof instead. Ed stated that this is a small cell, low power system and it fully complies with FCC regulations. To put it on private property would require an agreement and they are not looking to get into any agreements. They already have permission to work within public right of ways.

Amy asks if coverage problems could be due to the big buildings in the area and Ed replied yes. He added that Summer Camp has a low profile system inside the cupola, but the service is diminished by foliage and buildings blocking the signal.

Jason asked again if he could guarantee 100% that the people would not be adversely affected by this antenna. Gail stated that it is not debatable if they comply with the FCC regulations. She adds that his hearing is about views, height and historic significance. This will go before the Selectboard and could be discussed at that time.

Aaron Naparstek, 6 Saco Ave stated he had good service and questioned if a business or homeowner had requested additional service. He noted that he is an AT&T customer and appreciated their efforts to improve their service. Ed stated he was not aware of any calls. Aaron opined that this is a small area and a location closer to downtown might have more demand. Ed noted that more proposals will be coming. He stated that the small cell system does not have a big bang for the buck - a 10th of a mile coverage. Aaron asked about other poles and Ed described the reasons they were not viable.

Frank Williams, 5 Saco stated that they need the light as it is the only working light. He also asks about the flagpole at the bathrooms or at the Police station. He also asked about redirecting a neighbor's service off the pole. Ed assured him that they are not redirecting anyone's service. The existing lines will be put on the new pole.

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Ewell is concerned that they do not have all the other options from AT & T on the table. He adds that this option was not offered for Circuit Av. so is there more we can consider? Are there any alternatives that can minimize the effects in Copeland? Height seems to be the biggest objection. Amy feels dominates the scene and it is on the water and in the middle of a residential area. She agrees with Bella Ruth that commercial needs seem to be winning out. She adds that top-notch service is not necessary at the beach. Protecting the character is important. They will be going back to Cottage City Historic District in October. Ed said he would look to see what they can do to come up with a design for both boards, perhaps lowering the height. They could possibly lower the light. He added that there are limitations on the poles. Frank asks about moving the lines to other poles. Aaron asks if they could look at the survey again as it was done quickly. He questioned the rejection of poles with risers. Ed stated that Eversource will not license that pole to AT & T.

Ed requests a continuance to October 24, 2022 (no quorum on typical date 10/27)

Ewell made a motion to continue the hearing for 14 Sea View Ave Ext to October 24, 2022.

Amy seconded. The motion passed 5-0

M 11 P 156

25 Huntington Av Map 9 parcel 51

Demo one existing bedroom on the first floor and rebuild the bedroom with proper foundation. The existing second floor bedroom will expand above this bedroom. A walkout balcony will be added to the expanded second floor bedroom. A full bath will be added to the second floor. Will keep some Victorian style architecture and will not change the footprint. Dave Parent represented the homeowner Kym Lew Nelson who was present via ZOOM. Dave described the project noting the existing foundation would not support the proposed second story to be added to the end of the house. 3 shed dormers proposed. One is a balcony. Gail asked what is next to the property noting Copeland's concern regarding viewscapes. Kym stated there is a house and garage in the back to the left of her property, nothing across the street. The Board discussed if the proposed project would block the view of the neighbor in the back. Amy stated that this area is on the outer edge of Copeland on top of Sunset. Kym stated she did not have a view of the lake or park. The house/garage behind is Mr. Walker's and would not be blocked by the addition. Kym stated he faces his driveway and a dirt road. She added that there was a tree right between the two of them. Correspondence was received from John & Barbara Cruz, 25 Greenleaf Ave. in support of the project. Amy made a motion to approve the application of 25 Huntington Ave. as presented. Shelley seconded. The motion passed 5-0.

3 Uncas Ave Map 11 Parcel 156

Demolition of main house and shed
Robert Sawyer, owner was present via ZOOM,

Gail stated that this project was denied in 2019 and didn't know he could apply again for the same request unless there was something materially different. She stated that he could make the presentation but didn't know if he could go forward with a similar application without anything materially different. Robert Sawyer stated that he is here purely and simply to obtain permission to demolish this building. He added that he was told to get a structural engineer and the Building Inspector to look at the building. He presented a report and a letter from the Building Official who viewed the property. He stated that the Structural Engineer's opinion was that the building should be demolished, and it is not fit for human habitation. He added that the Building Official inspected it also and a statement from him ordering the building to be boarded up within 24hrs because it was dangerous and they didn't want anyone to go in there. He said the bottom line is that it needs to be demolished. He added that it is surrounded by commercial property and that it hasn't had any improvements in 30-40 years, there are no occupants and that he owns the property and it cost them to hold onto this property because they have no income from it. Gail stated that he knew that it was historical property and you are here because you are in the Copeland district and in the Historical District and you have bought something that's on the State Historical Register. She noted that he has owned the building for many years and have done nothing to it and made no improvements. She added that there was a generational family living in that home. She stated that at the last hearing they called this voluntary and that he voluntarily let this house go into disrepair and the reason the Building Inspector had this boarded up was to prevent unlawful entry into the building. That was the big issue. Gail stated that he has come back with the same argument and has done nothing to the house. He is a real estate agent and he knew what he was buying. Gail presented a copy of the minutes from March 18, 2019 to the Board.

M 11 P 156

Shelley acknowledged that unlike the last meeting he brought a report from both an engineer and the building inspector as the Board had requested or suggested might help his application, adding that she appreciated it. She noted a discrepancy that she felt was meaningful between the engineer and the subsequent determination of the Building Inspector. The engineer indicated that the structure is not suitable for human habitation and therefore should be demolished. The building inspector goes further and saying that it is not in danger of imminent failure or collapse so although they are related they are very different conclusions. Barbara agrees with Shelley. She noted that the engineer's report never said the building could not be repaired and that is important. The Building Official clearly believes that it could be repaired.

Robert responded that there hadn't been year-round family living in there for dozens of years. Gail corrected him noting that she had said "generational" family there and that she had not said year round. Robert continued saying it was 5-6 years ago the last time they occupied the property. The Building Official says that under state code he can only order demolition if the building is in eminent danger of collapsing by itself, which apparently is not the case. Robert added that it is not financially feasible to repair this building. He added that when the Board would suggest that he can spend money here that's his money. He added that the Board would not spend their money here as it is throwing good money after bad. Shelley stated that they are not the financial feasibility committee, they are the Historic committee. Gail stated that when he purchased the property there were people living in it. He then took out the asbestos and made the building the way it is now. She added that he voluntarily made the building the way it is. He is as sophisticated buyer.

Shelley asking for demolition is not complying with the requests of Copeland other than having an engineer's report which does not comply with Copeland regulations. Also, the Building Inspector does not condemn the building and says that you can fix it. Gail stated that for whatever reason you bought the property you knew was protected, you let it go. The applicant is asking for a demolition that does not comply with the requests of Copeland other than having an Engineer's report that does not comply. Additionally the Building Inspector does not condemn the building. Barbara stated that she was in agreement with Gail. The Board previously voted no demolition for this building and he made zero effort to improve the building. The Board said you can't demolish it so your option was to fix it. There was no submitted proof of financial hardship to fix and no accurate costs to correct. She added that there has been absolutely no effort to take into consideration the condition of the building and it is a very historical building. She noted that she doesn't see anything different today. She sees a building that needs repair and can be repaired.

Gail stated that she has letters from abutters and asked for public comment. Dianne Streett, 14 Hiawatha stated that she would like her letter read into the record. She added that in the courtroom there is a saying that you can't kill your parents and then ask for mercy from the court because you are an orphan noting that is the situation here. You can't destroy deliberately, intentionally commit a bad act and destroy something and then ask for a benefit from it. She asked the Board to take that into consideration. She said the argument had been raised that it is expensive to rehabilitate the building and the issue is that they bought it knowing what the condition was of the building adding that they can maintain the Barn & Bistro so it is unclear why they cannot maintain the building and the shed. She thanked the Board for their consideration. Gail read her letter into the record.

M 11
P 151

Byron Barnett, 12 Hiawatha Av commented on points made by Mr. Sawyer. Throwing good money after bad when he spent money to purchase the property and then removing the siding and turned it into an eyesore. He stated that he knew people living there shortly before that. He thinks it is terrible that Mr. Sawyer has let that happen in the neighborhood. Byron disagrees that the property is surrounded by commercial property. On the contrary the Barn is surrounded by residential property. He added that this property was not an eyesore before Mr. Sawyer bought it. He added that the property was not an eyesore before Mr. Sawyer's group bought it. He thought that it's deliberately done and he requested that the application be denied.

Katherine Kohler, 6 Hiawatha Av noted concern about a pattern not just specific to this particular house but on the Island of acquiring homes and leaving them to deliberate neglect and then empower people to demolish them. She added that what is most chilling is setting a precedent with other projects on the island not just in her neighborhood, her concern is for the whole Island.

Peggy Barmore 10 Hiawatha sent in a letter and added that her property is not a commercial building as it was referred to when they did the Barn. The property is 100% residential use. She agrees that it is zoned commercial. She has been at this property for 18 years and has never rented it and lives there 6 months a year. She added that workers from the hospital live there and it is a residential building.

Gail stated that the comment regarding a commercial neighborhood is irrelevant and what is relevant is that it is in Copeland and has to comply with the demolition requirements for Copeland and that's what the Board's findings will be.

Amy stated that she wanted to make it clear that she is speaking personally and therefore recusing herself from this part of the hearing. She added that everything is accurate that the neighbors are saying. She wants to make sure that everyone looks at the timeline and looking at how it got into the shape it is in. It is accurate that it was livable, it needed a lot of work but there are a lot of houses around Oak Bluffs, especially in Cottage City Historic District and Copeland that have been renovated. A lot of the newly renovated homes are about the same age as this house and some even older.

Gail asked Mr. Sawyer if he had anything else to say. He replied that there was nothing to say and he has listened to all of your decisions.

Gail asked for a motion.

Barbara made a motion to deny the application as it does not meet the requirements of Copeland and it is an elective demolition. Ewell seconded. The motion passed 4-0 (Amy recused herself)

Other Business

Ewell asked about updating the Copeland web page to provide more direction for future applicants or the Board's expectations. Updates will include the Board member list as well.

Amy made a motion to adjourn the meeting, Ewell seconded. The meeting adjourned at 6:56PM.

M 11 P 151

TOWN OF OAK BLUFFS
OAK BLUFFS COPELAND REVIEW BOARD

October 19, 2022

Board Members Present: Gail Barmakian, Amy Billings, Barbara Baskin, Shelley Christianson, Ewell Hopkins

Members of the Public present: Dianne Streett, Peggy Barmore, Bryon Barnett

3 Uncas Ave Map 11 Parcel 156

Demolition of main house and shed

History

Request for demolition previously denied March 18, 2019

The structure has a relationship with the District Elective Demolition

No condemnation determination

Submissions

Application

Letter from John Lolley, PE dated July 11, 2022

Letter from Tom Perry, Building Official dated August 2, 2022

Letter in opposition to the project from Diane Streett dated September 19, 2022

Letter in opposition to the project from Peggy Barmore dated September 19, 2022

Photos of property

(There were no plans for the proposed new development on site)

Barbara made a motion to deny the application based on the fact that this is an elective demolition and it does not meet the requirements of the Copeland Review Board. Ewell seconded the motion and it passed 4-0

Gail Barmakian

In 2019 they bought the property and filed for a demolition permit with the town. The building department advised that an asbestos inspection was a requirement of the demolition permit. They had this done and found that there was asbestos both inside and out. They proceeded with negotiations immediately under state law. The building department says that it is okay that it is sitting there empty.

According to the owner, the main criteria in 40C, buildings with architectural historic features and values, are historic buildings that are in the vicinity of other such buildings. If this building was in the neighborhood it would be a historic building.

Most addresses the board, asking them for comments, and stating that they need to determine if this really is a historic building. She says that she sees that there is a local and regional significance, but that the owner doesn't have a lot of it in his presentation.

M 11 P 156



**TOWN OF OAK BLUFFS
COTTAGE CITY HISTORIC DISTRICT COMMISSION
MEETING MINUTES**

Meeting of Wednesday, October 13, 2021 at 05:00 PM. This is a virtual meeting via Zoom

Members Present: Matt Cramer, Phil Regan, Amy Billings, Shelley Christiansen, Barbara Baskin, Denby Olcott, Jojo Lambert.

Review of the minutes of the CCHDC meeting of September 8, 2021.

Amy makes a motion to approve the minutes of Sept 8 as written. Shelley-2nd. Approved 5-0. 1 Abstention. (Jojo Abstains-as she was not a member at the time of that meeting)

New Determinations

3 Uncas Avenue, Map 11 Parcel 156

Presented by Robert Sawyer

Proposed Demolition

Amy Billings and Jojo Lambert have abstained from the vote as direct abutters and business owners.

Mr Sawyer presents a summary of the proposal to demolish the single family home and replace it with desperately needed workforce housing. He states that the structure at 3 Uncas is in terrible condition, derelict, and has been vacant for many years. He states that it is absolutely not financially feasible to spend any money on the property and is an eyesore for the town. It is costing the owners money just to own it, and they are anxious to demolish and proceed with housing units the town needs. They will do anything reasonable asked of them to validate anything they are saying. Practically, there is nothing they can do to retain this property. He believes the property falls under 40C.

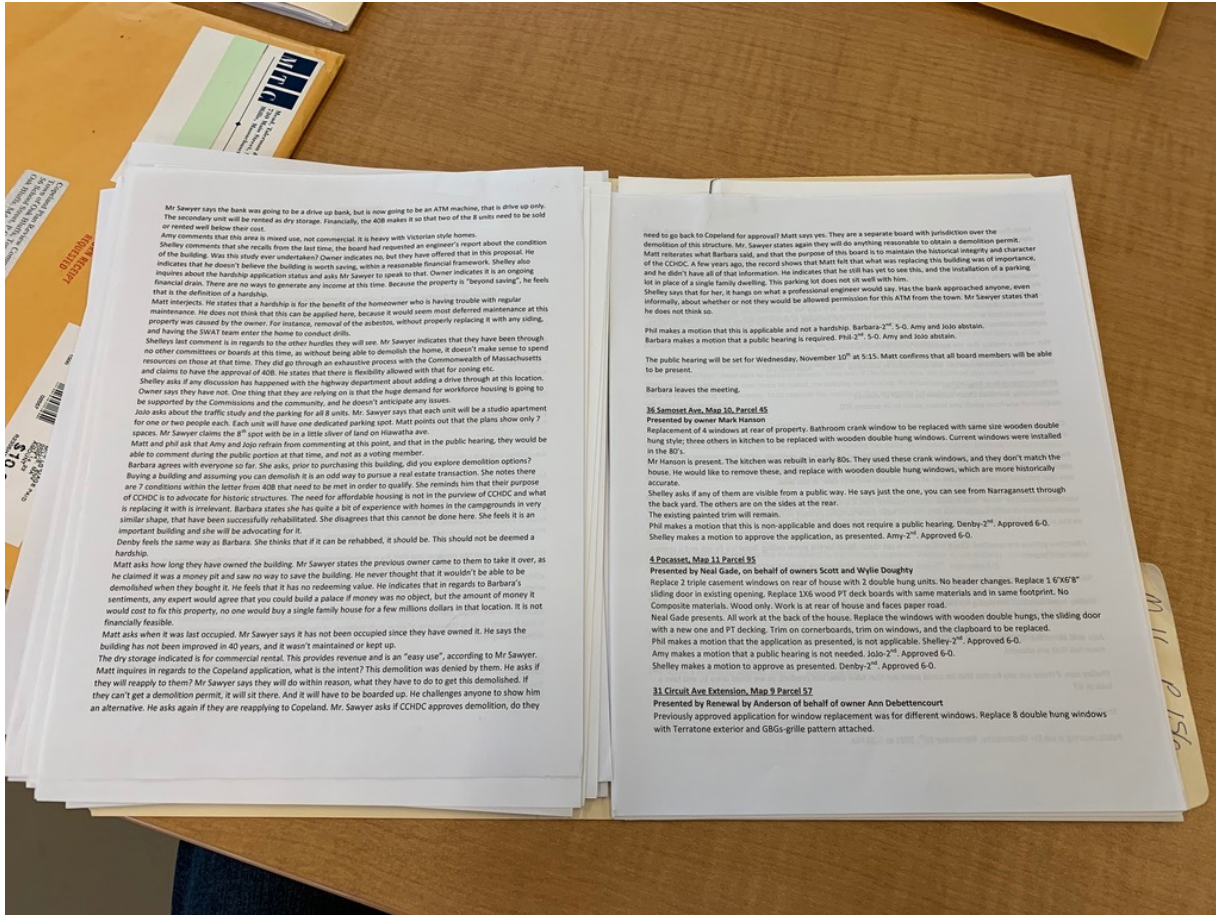
In 2018 they bought the property and filed for a demolition permit with the town. The building department advised that an asbestos inspection was a requirement of the demolition permit. They had this done and found the house had asbestos both inside and out. They proceeded with remediation immediately, under state law. The building is now empty and it is silly that it is sitting there empty.

According to the owner, one major criterion in 40C, buildings with architectural historic features and values, one criteria is that it needs to be in the vicinity of other such buildings. If this building was in the campgrounds it would be a different ballgame.

Matt addresses the group, asking them for comments, and stating that they need to determine if this needs a public hearing.

Phil says that he sees that there is a bank and commercial component, but that the owner didn't speak to that at all in his presentation.

M 11 P 156



Mr Sawyer says the bank was going to be a drive up bank, but is now going to be an ATM machine, that is drive up only. The secondary unit will be used as dry storage. Financially, the 408 makes it so that two of the 8 units need to be sold or rented well below that cost.

Any comments that this area is mixed use, not commercial. It is heavy with Victorian style homes. Shelley comments that she recalls from the last time, the board had requested an engineer's report about the condition of the building. Was this study ever undertaken? Owner indicates no, but they have offered that in this proposal. He indicates that he doesn't believe the building is worth saving, within a reasonable financial framework. Shelley also inquires about the hardship application status and asks Mr Sawyer to speak to that. Owner indicates it is an ongoing financial drain. There are no ways to generate any income at this time. Because the property is "beyond saving", he feels that is the definition of a hardship.

Matt inquires. He states that a hardship is for the benefit of the homeowner who is having trouble with regular maintenance. He does not think that this can be applied here, because it would seem most deferred maintenance at this property was caused by the owner. For instance, removal of the asbestos, without properly replacing it with any siding, and having the SWAT team enter the home to conduct drills.

Shelley last comment is in regards to the other hurdles they will see. Mr Sawyer indicates that they have been through no other committees or boards at this time, as without being able to demolish the home, it doesn't make sense to spend resources on those at that time. They did go through an exhaustive process with the Commonwealth of Massachusetts and claims to have the approval of 408. He states that there is flexibility allowed with that for zoning etc.

Shelley asks if any discussion has happened with the highway department about adding a drive through at this location. Owner says they have not. One thing that they are relying on is that the huge demand for workforce housing is going to be supported by the Commission and the community, and he doesn't anticipate any issues.

Jolo asks about the traffic study and the parking for all 8 units. Mr Sawyer says that each unit will be a studio apartment for one or two people each. Each unit will have one dedicated parking spot. Matt points out that the plans show only 7 spaces. Mr Sawyer claims the 8th spot will be in a little sliver of land on Hawthella ave.

Matt and phil ask that Amy and Jolo refrain from commenting at this point, and that in the public hearing, they would be able to comment during the public portion at that time, and not as a voting member.

Barbara agrees with everyone so far. She asks, prior to purchasing this building, did you explore demolition options? Buying a building and assuming you can demolish it is an odd way to pursue a real estate transaction. She notes there are 7 conditions within the letter from 408 that need to be met in order to qualify. She reminds him that their purpose of CHDC is to advocate for historic structures. The need for affordable housing is not in the purview of CHDC and very similar shape, that have been successfully rehabilitated. She disagrees that this cannot be done here. She feels it is an important building and she will be advocating for it.

Denby feels the same way as Barbara. She thinks that if it can be rehabbed, it should be. This should not be deemed a hardship.

Matt asks how long they have owned the building. Mr Sawyer states the previous owner came to them to take it over, as he claimed it was a money pit and saw no way to save the building. He never thought that it wouldn't be able to be demolished when they bought it. He feels that it has no redeeming value. He indicates that in regards to Barbara's sentiments, any expert would agree that you could build a palace if money was no object, but the amount of money it would cost to fix this property, no one would buy a single family house for a few millions dollars in that location. It is not financially feasible.

Matt asks when it was last occupied. Mr Sawyer says it has not been occupied since they have owned it. He says the building has not been improved in 40 years, and it wasn't maintained or kept up.

The dry storage indicated is for commercial rental. This provides revenue and is an "easy use", according to Mr Sawyer. Matt inquires in regards to the Copeland application, what is the intent? This demolition was denied by them. He asks if they will reapply to them? Mr Sawyer says they will do within reason, what they have to do to get this demolished, if they can't get a demolition permit, it will sit there. And it will have to be boarded up. He challenges anyone to show him an alternative. He asks again if they are reapplying to Copeland. Mr Sawyer asks if CHDC approves demolition, do they

need to go back to Copeland for approval? Matt says yes. They are a separate board with jurisdiction over the demolition of this structure. Mr Sawyer states again they will do anything reasonable to obtain a demolition permit. Matt reiterates what Barbara said, and that the purpose of this board is to maintain the historical integrity and character of the CHDC. A few years ago, the record shows that Matt built that what was replacing this building was of importance, and he doesn't have all of that information. He indicates that he still has yet to see this, and the installation of a parking lot in place of a single family dwelling. This parking lot does not fit well with him.

Shelley says that for her, it hangs on what a professional engineer would say. Has the bank approached anyone, even informally, about whether or not they would be allowed permission for this ATM from the town. Mr Sawyer states that he does not think so.

Phil makes a motion that this is applicable and not a hardship. Barbara-2nd, 5-0. Amy and Jolo abstain. Barbara makes a motion that a public hearing is required. Phil-2nd, 5-0. Amy and Jolo abstain.

The public hearing will be set for Wednesday, November 10th at 5:15. Matt confirms that all board members will be able to be present.

Barbara leaves the meeting.

36 Samoset Ave, Map 10, Parcel 65
Presented by owner Mark Hanson
Replacement of 4 windows at rear of property. Bathroom crank window to be replaced with same size wooden double hung style; three others in kitchen to be replaced with wooden double hung windows. Current windows were installed in the 80's.

Mr Hanson is present. The kitchen was rebuilt in early 80s. They used these crank windows, and they don't match the house. He would like to remove these, and replace with wooden double hung windows, which are more historically accurate.

Shelley asks if any of them are visible from a public way. He says just the one, you can see from Narragansett through the back yard. The others are on the sides at the rear.

The existing painted trim will remain.

Phil makes a motion that this is non-applicable and does not require a public hearing. Denby-2nd, Approved 6-0.

Shelley makes a motion to approve the application, as presented. Amy-2nd, Approved 6-0.

4 Pocasset Ave, Map 11 Parcel 95
Presented by Neal Gade, on behalf of owners Scott and Wylie Doughty

Replace 2 triple casement windows on rear of house with 2 double hung units. No header changes. Replace 1 6'x6" sliding door in existing opening. Replace 13x wood PT deck boards with same materials and in same footprint. No Composite materials. Wood only. Work is at rear of house and faces paper road.

Neal Gade presents. All work at the back of the house. Replace the windows with wooden double hungs, the sliding door with a new one and PT decking. Trim on cornerboards, trim on windows, and the clapboard to be replaced.

Phil makes a motion that the application as presented, is not applicable. Shelley-2nd, Approved 6-0.

Amy makes a motion that a public hearing is not needed. Jolo-2nd, Approved 6-0.

Shelley makes a motion to approve as presented. Denby-2nd, Approved 6-0.

31 Circuit Ave Extension, Map 9 Parcel 57
Presented by Reneval of Anderson of behalf of owner Ann DeBettecourt

Previously approved application for window replacement was for different windows. Replace 8 double hung windows with Terrastone exterior and GBGs-grille pattern attached.

**TOWN OF OAK BLUFFS
COTTAGE CITY HISTORIC DISTRICT COMMISSION**

**MEETING MINUTES
Meeting of Wednesday March 13, 2019, 4:30pm
Oak Bluffs Public Library, Lower Level Meeting Room**

Commissioners in attendance: Phil Regan (chairman), Matt Cramer, Barbara Baskin, Shelley Christiansen, Denby Olcott

Chairman opened the meeting at 4:39PM

Review of meeting minutes from 02-13-2019.

Barbara made motion to approve meeting minutes as amended. Matt-2nd. Approved 5-0.

Chairman opened the public hearing at 4:45.

4:45PM: 71 Ocean Ave (Map 10 Parcel 7)

Presented by architect Chuck Sullivan, on behalf of owners at B&B Family LLC

Proposed renovation of a 7 bedroom two family dwelling, to a 7 bedroom one family dwelling. Demolition of back portion of building and existing front porch. New rear addition with similar footprint, and new front porch. Demolition and replacement of portion of roof. Demo of two existing shed dormers, replaced with new gable dormers. All new windows and doors. New siding.

Letter read into the record from Margaret Towers, owner at 30 Samoset Ave. Concern that work will be done during summer season and that noise and construction will be disruptive to neighbors. Request that owners refrain from doing work in the peak season, which they define as June 15-Sept 15. Chairman stated that CCHDC does not have jurisdiction over this, but suggested that neighbors come to an agreement amongst themselves. Chuck mentioned that the homeowners did not intend to do work during the summer season.

There were no public comments.

Commissioners asked to have decks be painted rather than oiled mahogany. Chuck Sullivan agreed to this.

All trim to be painted. Eaves to be open but painted.

Window/door schedule not included. Loewen aluminum clad windows are called out in materials list. Chuck said they are planning on using full screens.

All commissioners agreed that they prefer the scalloped shingles on the entire second floor down to the shingle flair.

Gable where the chimney is located shows an exterior chimney. Chimney as drawn splits the gable in an unnatural way. Chuck indicates that it was there at one point. If on exterior wall it should be painted. Chairman requests that this chimney be set inbound rather than outbound.

Planning on returning for the shed and the fencing once landscape plans are complete. To include Mechanicals and HVAC condensers. Chuck indicated it would be in the fenced in area.

Matt commented on the width of the brackets and the size difference depending on which gable it is on. Asked to make all consistent.

Matt made a motion to approve the application with amendments which are: moving chimney inside building envelope (exposed brick to be at the roofline only), painted decking, decorative shingles all around second floor and brought down to the shingle flair, Half screens on all windows. Applicant to return with landscaping elements to include shed, fence, HVAC condensers.

Barbara-2nd. Approved 5-0.

5:40PM: 10 Oak Bluffs Avenue (Map 9, Lot 34)

Continued from February 13, 2019.

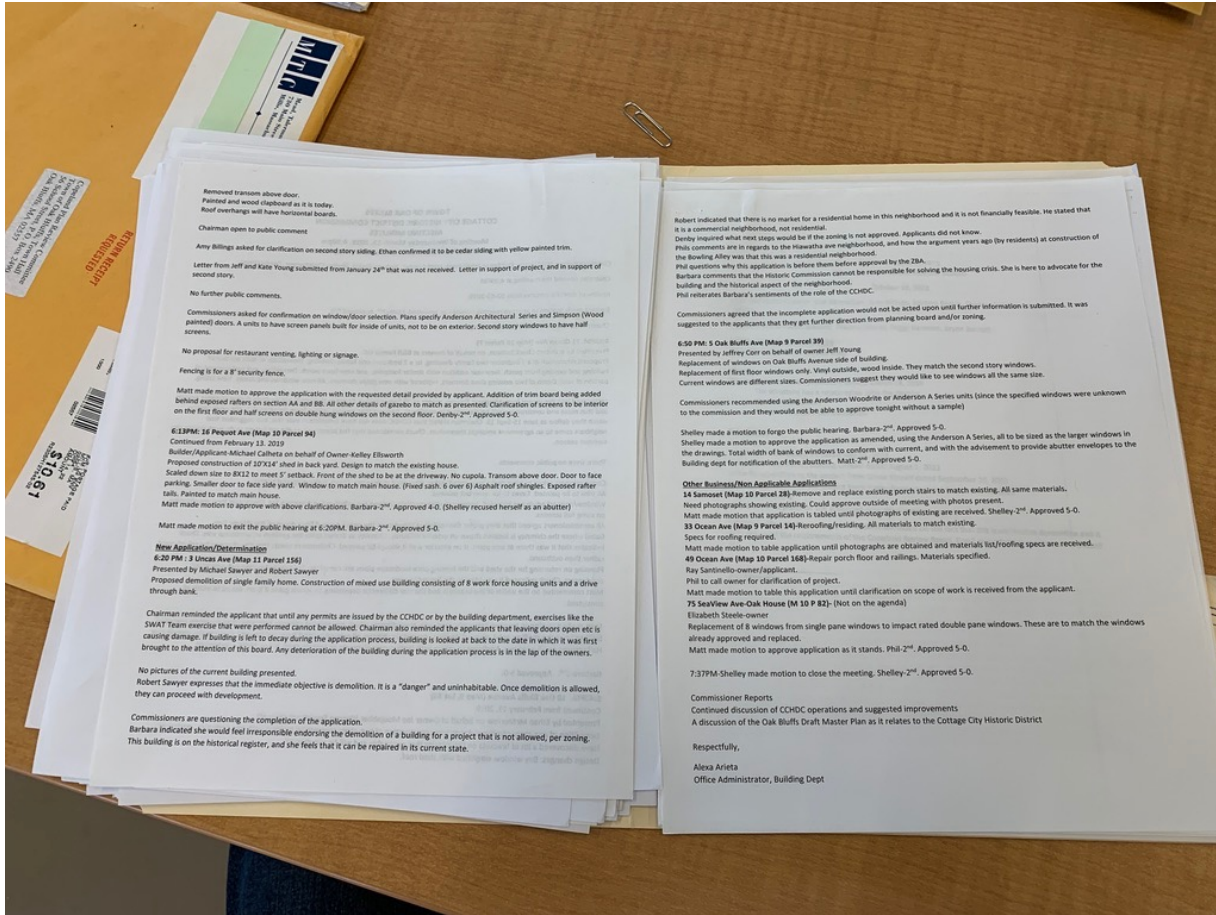
Presented by Ethan McMorro on behalf of Owner Joe Moujabber (George Sourati not present)

Demolition of one-story commercial structure; construction of two-story commercial building with one-bedroom apartment

Have discovered a lot of brackets on the interior that are usable and will be repurposed.

Design changes: Bay window simplified with shed roof.

M 11
P 15th



Removed transom above door.
Painted and wood clapboard as it is today.
Roof overhangs will have horizontal boards.

Chairman open to public comment

Any billings asked for clarification on second story siding. Ethan confirmed it to be cedar siding with yellow painted trim.

Letter from Jeff and Kate Young submitted from January 24th that was not received. Letter in support of project, and in support of second story.

No further public comments.

Commissioners asked for confirmation on window/door selection. Plans specify Anderson Architectural Series and Simpson (Wood painted) doors. A unit to have screen panels built for inside of units, not to be on exterior. Second story windows to have half screens.

No proposal for restaurant venting, lighting or signage.

Fencing is for a 6" security fence.

Matt made motion to approve the application with the requested detail provided by applicant. Addition of trim board being added behind exposed rafters on sections A4 and B6. All other details of gazebo to match as presented. Clarification of screens to be interior on the first floor and half screens on double hung windows on the second floor. Orderly 2nd Approved 5-0.

6:13PM: 16 Pequet Ave (Map 10 Parcel 94)
Continued from February 13, 2019

Builer/Applicant: Michael Calheta on behalf of Owner: Kelley Ellsworth
Proposed construction of 32'x14' shed in back yard. Design to match the existing house.

Scaled down size to 8'x12 to meet 5' setback. Front of the shed to be at the driveway. No cupola. Transom above door. Door to face parking. Smaller door to face side yard. Window to match main house. (Fixed sash, 6 over 6) Asphalt roof shingles. Exposed rafter tails. Painted to match main house.

Matt made motion to approve with above clarifications. Barbara 2nd Approved 4-0. (Shelley recused herself as an abutter)

Matt made motion to exit the public hearing at 6:20PM. Barbara 2nd Approved 5-0.

New Applications/Determinations
6:20 PM : 3 Lucas Ave (Map 11 Parcel 156)

Presented by Michael Sawyer and Robert Sawyer
Proposed Demolition of single family home. Construction of mixed use building consisting of 8 work force housing units and a drive through bank.

Chairman reminded the applicant that until any permits are issued by the CCHDC or by the building department, exercises like the SWAT Team exercise that were performed cannot be allowed. Chairman also reminded the applicants that leaving doors open etc is causing damage. If building is left to decay during the application process, building is locked at back to the date in which it was first brought to the attention of this board. Any deterioration of the building during the application process is in the lap of the owners.

No pictures of the current building presented.
Robert Sawyer expresses that the immediate objective is demolition. It is a "danger" and uninhabitable. Once demolition is allowed, they can proceed with development.

Commissioners are questioning the completion of the application.

Barbara indicated she would feel irresponsible endorsing the demolition of a building for a project that is not allowed, per zoning. This building is on the historical register, and she feels that it can be repaired in its current state.

Robert indicated that there is no market for a residential home in this neighborhood and it is not financially feasible. He stated that it is a commercial neighborhood, not residential.

Orderly inquired what next steps would be if the zoning is not approved. Applicants did not know.

Phil questions why this application is before them before approval by the ZBA.

Barbara comments that the Historic Commission cannot be responsible for solving the housing crisis. She is here to advocate for the building and the historical aspect of the neighborhood.

Phil reiterates Barbara's sentiments of the role of the CCHDC.

Commissioners agreed that the incomplete application would not be acted upon until further information is submitted. It was suggested to the applicants that they get further direction from planning board and/or zoning.

6:50 PM: 1 Oak Bluffs Ave (Map 9 Parcel 39)
Presented by Jeffrey Cori on behalf of owner: Jeff Young

Replacement of windows on Oak Bluffs Avenue side of building.
Replacement of first floor windows only. Vinyl exterior, wood inside. They match the second story windows.

Current windows are different sizes. Commissioners suggest they would like to see windows all the same size.

Commissioners recommended using the Anderson Woodrite or Anderson A Series units (since the specified windows were unknown to the commission and they would not be able to approve tonight without a sample)

Shelley made a motion to forgo the public hearing. Barbara 2nd Approved 5-0.

Shelley made a motion to approve the application as amended, using the Anderson A Series, all to be sized as the larger windows in the drawings. Total width of bank of windows to conform with current, and with the adjustment to provide abutler envelopes to the building dept for notification of the abutters. Matt 2nd Approved 5-0.

Other Business/Non-Applicable Applications

14 Samaset (Map 10 Parcel 28): Remove and replace existing porch stairs to match existing. All same materials. Need photographs showing existing. Could approve outside of meeting with photos present.

Matt made motion that application is tabled until photographs of existing are received. Shelley 2nd Approved 5-0.

33 Ocean Ave (Map 9 Parcel 14): Reroofing/residing. All materials to match existing.
Specs for roofing required.

Matt made motion to table application until photographs are obtained and materials list/roofing specs are received.

49 Ocean Ave (Map 10 Parcel 168): Repair porch floor and railings. Materials specified.

Ray Santinello-owner/applicant.
Phil to call owner for clarification of project.

Matt made motion to table this application until clarification on scope of work is received from the applicant.

75 SeaView Ave-Oak House (M 10 P 82): (Not on the agenda)
Elizabeth Steele-owner

Replacement of 8 windows from single pane windows to impact rated double pane windows. These are to match the windows already approved and replaced.

Matt made motion to approve application as it stands. Phil 2nd Approved 5-0.

7:37PM-Shelley made motion to close the meeting. Shelley 2nd Approved 5-0.

Commissioner Reports
Continued discussion of CCHDC operations and suggested improvements
A discussion of the Oak Bluffs Draft Master Plan as it relates to the Cottage City Historic District

Respectfully,
Alexa Arieta
Office Administrator, Building Dept

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
TOWN OF OAK BLUFFS
OAK BLUFFS COPELAND REVIEW BOARD

October 19, 2022

Board Members Present: Gail Barmakian, Amy Billings, Barbara Baskin, Shelley Christlanson, Ewell Hopkins

Members of the Public present: Dianne Streett, Peggy Barmore, Bryon Barnett

3 Uncas Ave Map 11 Parcel 156
Demolition of main house and shed

History

Request for demolition previously denied March 18, 2019
The structure has a relationship with the District
Elective Demolition
No condemnation determination

Submissions

Application
Letter from John Lolley, PE dated July 11, 2022
Letter from Tom Perry, Building Official dated August 2, 2022
Letter in opposition to the project from Diane Streett dated September 19, 2022
Letter in opposition to the project from Peggy Barmore dated September 19, 2022
Photos of property
(There were no plans for the proposed new development on site)

Barbara made a motion to deny the application based on the fact that this is an elective demolition and it does not meet the requirements of the Copeland Review Board. Ewell seconded the motion and it passed
4-0

Gail Barmakian

OAK BLUFFS COPELAND REVIEW BOARD MEETING MINUTES
P.O. BOX 1327, OAK BLUFFS, MA 02557 - 1327
508 693 - 3554 x 123

Meeting of Monday September 19, 2022, 5:00pm
Oak Bluffs Town Hall, Lower Level Meeting Room

Members Present: Gail Barmakian, Shelley Christiansen, Ewell Hopkins, Amy Billings, Barbara Baskins

Chairman opened the public hearing at 5:06PM

3 Uncas Ave Map 11 Parcel 156

Robert Sawyer, owner was present via Zoom,
Demolition of main house and shed

History

Request for demolition previously denied March 18, 2019
The structure has a relationship with the District
Elective Demolition
No condemnation determination

Submissions

Application

Letter from John Lolley, PE dated July 11, 2022

Letter from Tom Perry, Building Official dated August 2, 2022

Letter in opposition to the project from Diane Streett dated September 19, 2022

Letter in opposition to the project from Peggy Barmore dated September 19, 2022

Photos of property

(There were no plans for the proposed new development on site)

Minutes of March 18, 2019

Gail stated that this project was denied in 2019 and didn't know he could apply again for the same request unless there was something materially different. She stated that he could make the presentation but didn't know if he could go forward with a similar application without anything materially different. Robert Sawyer stated that he is here purely and simply to obtain permission to demolish this building. He added that he was told to get a structural engineer and the Building Inspector to look at the building. He presented a report and a letter from the Building Official who viewed the property. He stated that the Structural Engineer's opinion was that the building should be demolished, and it is not fit for human habitation. He added that the Building Official inspected it also and a statement from him ordering the building to be boarded up within 24hrs because it was dangerous and they didn't want anyone to go in there. He said the bottom line is that it needs to be demolished. He added that it is surrounded by commercial property and that it hasn't had any improvements in 30-40 years, there are no occupants and that he owns the property and it cost them to hold onto this property because they have no income from it. Gail stated that he knew that it was historical property and you are here because you are in the Copeland district and in the Historical District and you have bought something that's on the State

This whole thing is a duplicate.

M 11 P 156



[Faint, mostly illegible text on the left page of the document stack]

Historical Register. She noted that he has owned the building for many years and have done nothing to it and made no improvements. She added that there was a generational family living in that home. She stated that at the last hearing they called this voluntary and that you voluntarily let this house go into disrepair and the reason the Building Inspector had this boarded up was to prevent unlawful entry into the building. That was the big issue. Gail stated that he has come back with the same argument and has done nothing to the house. He is a real estate agent and he know what he was buying. Gail presented a copy of the minutes from March 18, 2019 to the Board.

Shelley acknowledged that unlike the last meeting he brought a report from both an engineer and the building inspector as the Board had requested or suggested might help his application, adding that she appreciated it. She noted a discrepancy that she felt was meaningful between the engineer and the subsequent determination of the Building Inspector. The engineer indicated that the structure is not suitable for human habitation and therefore should be demolished. The building inspector goes further and saying that it is not in danger of imminent failure or collapse so although they are related they are very different conclusions.

Barbara agrees with Shelley. She noted that the engineer's report never said the building could not be repaired and that is important. The Building Official clearly believes that it could be repaired.

Robert responded that there hadn't been year-round family living in there for dozens of years. Gail corrected him noting that she had said "generational" family there and that she had not said year round. Robert continued saying it was 5-6 years ago the last time they occupied the property. The Building Official says that under state code he can only order demolition if the building is in eminent danger of collapsing by itself, which apparently is not the case. Robert added that it is not financially feasible to repair this building. He added that when the Board suggests that he can spend money here that's his money. He added that the Board would not spend their money here as it is throwing good money after bad. Shelley stated that they are not the financial feasibility committee, they are the Historic committee.

Gail stated that when he purchased the property there were people living in it. He then took out the asbestos and made the building the way it is now. She added that he voluntarily made the building the way it is. He is as sophisticated buyer.

Shelley asking for demolition is not complying with the requests of Copeland other than having an engineer's report which does not comply with Copeland regulations. Also, the Building Inspector does not condemn the building and says that you can fix it.

Gail stated that for whatever reason you bought the property you knew was protected, you let it go. The applicant is asking for a demolition that does not comply with the requests of Copeland other than having an Engineer's report that does not comply. Additionally the Building Inspector does not condemn the building. Barbara stated that she was in agreement with Gail. The Board previously voted no demolition for this building and he made zero effort to improve the building. The Board said you can't demolish it so your option was to fix it. There was no submitted proof of financial hardship to fix and no accurate costs to correct. She added that there has been absolutely no effort to take into consideration the condition of the building and it is a very historical building. She noted that she doesn't see anything different today. She sees a building that needs repair and can be repaired.

Gail stated that she has letters from abutters and asked for public comment.

Dianne Streett, 14 Hiawatha stated that she would like her letter read into the record. She added that in the courtroom there is a saying that you can't kill your parents and then ask for mercy

M 11 P 15h

TRUE COPY ATTACHED
TOWN CLERK OF
HAWAII, HI

from the court because you are an orphan noting that is the situation here. You can't destroy deliberately, intentionally commit a bad act and destroy something and then ask for a benefit from it. She asked the Board to take that into consideration. She said the argument had been raised that it is expensive to rehabilitate the building and the issue is that they bought it knowing what the condition was of the building adding that they can maintain the Barn & Bistro so it is unclear why they cannot maintain the building and the shed. She thanked the Board for their consideration. Gail read her letter into the record.

Byron Barnett, 12 Hiawatha Av commented on points made by Mr. Sawyer. Throwing good money after bad when he spent money to purchase the property and then removing the siding and turned it into an eyesore. He stated that he knew people living there shortly before that. He thinks it is terrible that Mr. Sawyer has let that happen in the neighborhood. Byron disagrees that the property is surrounded by commercial property. On the contrary the Barn is surrounded by residential property. He added that this property was not an eyesore before Mr. Sawyer bought it. He added that the property was not an eyesore before Mr. Sawyer's group bought it. He thought that it's deliberately done and he requested that the application be denied.

Kathleen
Kathleen Kohler, 6 Hiawatha Av noted concern about a pattern not just specific to this particular house but on the Island of acquiring homes and leaving them to deliberate neglect and then empower people to demolish them. She added that what is most chilling is setting a precedent with other projects on the island not just in her neighborhood, her concern is for the whole Island.

Gail stated that the comment regarding a commercial neighborhood is irrelevant and what is relevant is that it is in Copeland and has to comply with the demolition requirements for Copeland and that's what the Board's findings will be.

Amy Billings stated that she wanted to make it clear that she is speaking personally and therefore recusing herself from this part of the hearing. She added that everything is accurate that the neighbors are saying. She wants to make sure that everyone looks at the timeline and looking at how it got into the shape it is in. It is accurate that it was livable, it needed a lot of work but there are a lot of houses around Oak Bluffs, especially in Cottage City Historic District and Copeland that have been renovated. A lot of the newly renovated homes are about the same age as this house and some even older.

Gail asked Mr. Sawyer if he had anything else to say. He replied that there was nothing to say and he has listened to all of your decisions.

Gail asked for a motion.

Barbara made a motion to deny the application based on the fact that it does not meet the requirements of Copeland and it is an elective demolition. Ewell seconded. The motion passed 4-0 (Amy recused herself)

Hazel Baumhian 10/18/22
Gail Barmakian

Other Business

Ewell asked about updating the Copeland web page to provide more direction for future applicants or the Board's expectations. Updates will include the Board member list as well.

Oak Bluffs, MA
Town Clerk's Office

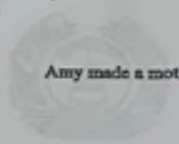
Oct 18 20 22

Rec'd for Record
AT H M M
945

A TRUE COPY ATTEST:

Gillian Mousie
TOWN CLERK OF
OAK BLUFFS, MA.

M 11 P 156



THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF OAK BLUFFS

Amy made a motion to adjourn the meeting, Ewell seconded. The meeting adjourned at 6:56PM.

RECEIVED
MAY 21 2015
TOWN OF OAK BLUFFS

Map No. 12 for 2015
Applicant: 2 Union Avenue
Property Owner: Pinebrook LLC
Business Owner: Robert M. Grayson
Contacting Info: P. O. Box 1408, Vineyard Haven, MA 01982 - 508-696-1982
rgrayson@pinebrookllc.com

Applying for a Certificate of Appropriateness Under section 9, Section XXVIII, D of the Zoning By-Laws

To The Colonial Pine District Review Board

The undersigned hereby petitions the Colonial Pine District Review Board to vary the terms or grant a Certificate of Appropriateness or any other petitioning provision of the Zoning By-Laws of the Town of Oak Bluffs, in the Town of Oak Bluffs, in the following regard: _____ We strongly seek approval for the complete description of existing dilapidated buildings.

Drainage Modification, excavation, change, alteration or modification of use, or method of use relating to the location, appearance or structure of the property.

Site safety remains for application: The existing building is dilapidated and is used illegally. A review by a licensed structural engineer has determined the property is "not suitable for human habitation and should be demolished". (see report attached) Further it has been determined by the building inspector who also determined the building is unsafe and should be immediately boarded up, which was promptly accomplished as shown by letter dated August 2, 2013 from the building inspector official in Oak Bluffs.

Patricia M. Stelli, LLC
1450 S. Street, Suite 100
Sergeant, Manager/Member

1450 S. Street, Suite 100, Vineyard Haven, MA 01982
P. M. Stelli, LLC

ALL APPLICANTS
MAY 21 2015
TOWN OF OAK BLUFFS

[Signature]
TOWN MANAGER

[Signature]
TOWN MANAGER



THE COMMONWEALTH OF MASSACHUSETTS
 TOWN OF OAK BLUFFS
 Copeland Plan District Review Board Application

RECEIVED
 29 2022

AUG 29 2022

O.B. BUILDING DEPT

PLEASE PRINT

Map 11 Lot 156 Street Address 3 Uncas Avenue
 Property Owner Flowerwood LLC
 Business Owner Robert M. Sawyer

Contact/Billing Info: P. O. Box 1408, Vineyard Haven, MA 02568. - 508-696-1900. -
 robert@sawyerrealtygroup.com

Applying for a Certificate of Appropriateness: Under section 9. Section XVIII.1. D of the Zoning By-Laws

To The Copeland Plan District Review Board:

The undersigned hereby petitions the Copeland Plan District Review Board to vary the terms or grant a Certificate of Appropriateness or any action pertaining thereto of the Zoning By-Laws of the Town of Oak Bluffs Acts of April 12th, 2005 at the address located at 3 Uncas Avenue, in the Town of Oak Bluffs, in the following respect: We simply seek approval for complete demolition of existing dilapidated buildings.

~~Or any limitation, extension, change, alteration or modification of use, or method of use as may, at the hearing, appear as necessary or proper in the premises:~~

State briefly reasons for application: The existing building is dilapidated and in total disrepair. A review by a licensed structural engineer has determined the property is "not suitable for human habitation and should be demolished". (see report attached) Further it has been inspected by the building inspector who also determined the building is unsafe and should be immediately boarded upon which was promptly accomplished as directed. (see letter dated August 2, 2022 from the building/zoning official in Oak Bluffs)

Petitioner: Flowerwood LLC
 Representative: Robert M. Sawyer, Managing Member

Mailing Address: P. O. Box 1408, Vineyard Haven, MA 02568
 E-Mail :robert@sawyerrealtygroup.com -
 Phone # 508-696-1900

M 11 P 15



Town of Oak Bluffs
Office of Zoning Board of Appeals
Copeland Plan District Review Board
P.O. Box 1327 Oak Bluffs, Massachusetts 02557

INSTRUCTIONS FOR APPLYING TO THE COPELAND PLAN DISTRICT REVIEW BOARD

Dear Applicant:

You have submitted a construction plan to the Town's Building Inspector on a piece of property located in the Town of Oak Bluffs in the Copeland Plan District. A determination has been made that your plan must be heard by the Copeland Review Committee per section 9, Section XVIII.D of the Town's Zoning By-Laws. In order for you to continue with the building permit process, you have been directed to obtain a **Certificate of Appropriateness** by the Copeland Plan District Review Board. The steps necessary to be heard by the Copeland Plan District Review Board are as follows:

1. Complete the **Town-Express, Minor Structural or Building Permit Application**, including applicable signatures from the Town Departments: Assessor; Tax Collector; BOH; and Conservation Commission.

(NOTE: THE COPELAND PLAN DISTRICT REVIEW BOARD **MAY DENY** OR PUT YOUR APPLICATION INTO A CONTINUANCE AT THE TIME OF YOUR HEARING IF THESE SIGNATURES HAVE NOT BEEN OBTAINED).

2. Complete this **Copeland Plan District Review Board Request for Hearing Form**. This is done either by the applicant or his/her representative with a letter stating such. The form must be signed by the property owner.

3. Proceed to the Town Hall Building Assessor's Office. Pay \$28.00 for a 300' Abutter's Parcel List. From that office you will receive a list of certified abutters, 2 maps and mailing labels.

(NOTE: THE PUBLIC HEARING NOTICE, BY STATE LAW, MUST BE ADVERTISED IN THE LOCAL PAPERS TWO WEEKS PRIOR TO YOUR MEETING WITH THE COPELAND PLAN DISTRICT REVIEW BOARD.)

4. Return to the building department with the following documents:

- A) Completed building permit application and the Copeland Plan District Review Board Application Form;
- B) The Assessor's Package (300 foot abutter notification); and stamped envelopes.
- C) **Engineer Certified site plans** (by registered land surveyor), showing the existing structure(s) and the development proposal - 2 copies;
- D) Construction plans included in the building permit application - (2 hard + 1 electronic copy);
- E) Documentation from any other town boards where by-law review was required - 1 copy;

(NOTE: THE TOWN NOW REQUIRES ALL PROPOSED CONSTRUCTION PLANS COME IN ELECTRONIC FORMAT. PLEASE PROVIDE EITHER DVD OR E-MAIL PDF FILE TO the building department at buildingadmin@oakbluffsma.gov

JOHN LOLLEY, PE

Structural, Civil, Coastal Engineering & Permitting

July 11, 2022

Mr. Robert Sawyer
3 Uncas Ave.
Oak Bluffs, MA 02557

RE: Oak Bluffs Assessor's Parcel ID: 11-156

Dear Mr. Sawyer,

On July 9th, 2022, I inspected the properties at 3 Uncas Ave. Oak Bluffs, MA. The purpose of the inspection was to assess the overall condition of the main house and detached shed.

Main house:

ROOF/ATTIC:
Obvious water damage and leaking occurring



INTERIOR:
Uneven, settled, and unstable floors
Mold throughout the interior walls/ceilings
Water damaged ceilings



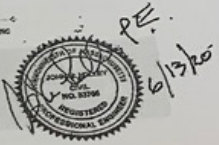
BASEMENT:
Deteriorated mortar
Rotting/deteriorated sills
Deteriorated brick/stone foundation walls with large cracks
Evidence of storm water intrusion into the basement

Main house in overall deteriorated structural condition.

office@lolley.com

PO BOX 1858 Vineyard Haven, MA 02568

(508) 693 5153



M 11 P 15h



Mead, Talcman & Costa, LLC
Attorneys at Law

730 Main Street
Suite 1F
Mills, MA 02054
Phone/Fax: 508.376.8400
www.mtc-lawyers.com

October 14, 2022

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED

Copeland Plan Review Committee
Town of Oak Bluffs, Town Hall
56 School Street, P.O. Box 2490
Oak Bluffs, MA 02557

Re: Flowerwood, LLC v. Town of Oak Bluffs, et al.
Land Court 22 MISC 000529 (JDSR) - 31 Uncas Ave. _____

To the Chair and members of the Committee,

In accordance with Mass.R.Civ.P. Rule 4(d)(4) and/or G.L. c. 40A,
please find enclosed an original summons along with a Complaint regarding
the above referenced matter.

Thank you for your attention to this matter.

Sincerely,

Brian Winner

Enc.

Newburyport Office
30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747

New Bedford Office
227 Union Street, Suite 606
New Bedford, MA 02740

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

CIVIL ACTION

NO. 22 CIV 000529

Flower Hill LLC

Plaintiff(s)

v.

Town of Oak Bluffs, et al.

Defendant(s)

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon Jason T. Demme, Esq.
Demme, Tolan & Costello, LLC

Plaintiff's attorney, whose address is 730 Main St, F. Mills, MA 02054, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Recorder of this court at Three Pemberton Square, Room 507, Boston, MA 02108 either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, Gordon H. Piper, Chief Justice, at Boston, _____

Deborah S. Rathson

Recorder

NOTES

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.
3. TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED
(1) EQUITY — (2) OTHER

the Land Court at the address herein provided.