

DRI 744 3
Uncas Avenue
Historic
Demolition &
40 B Proposal





DRI 744

- **Owner:** Flowerwood, LLC
- **Applicant:** Flowerwood, LLC
- **Applicant's Agent:** Robert Sawyer
- **Applicant's Agent:** Attorney Jay Talerman of Mead, Talerman, & Costa, LLC



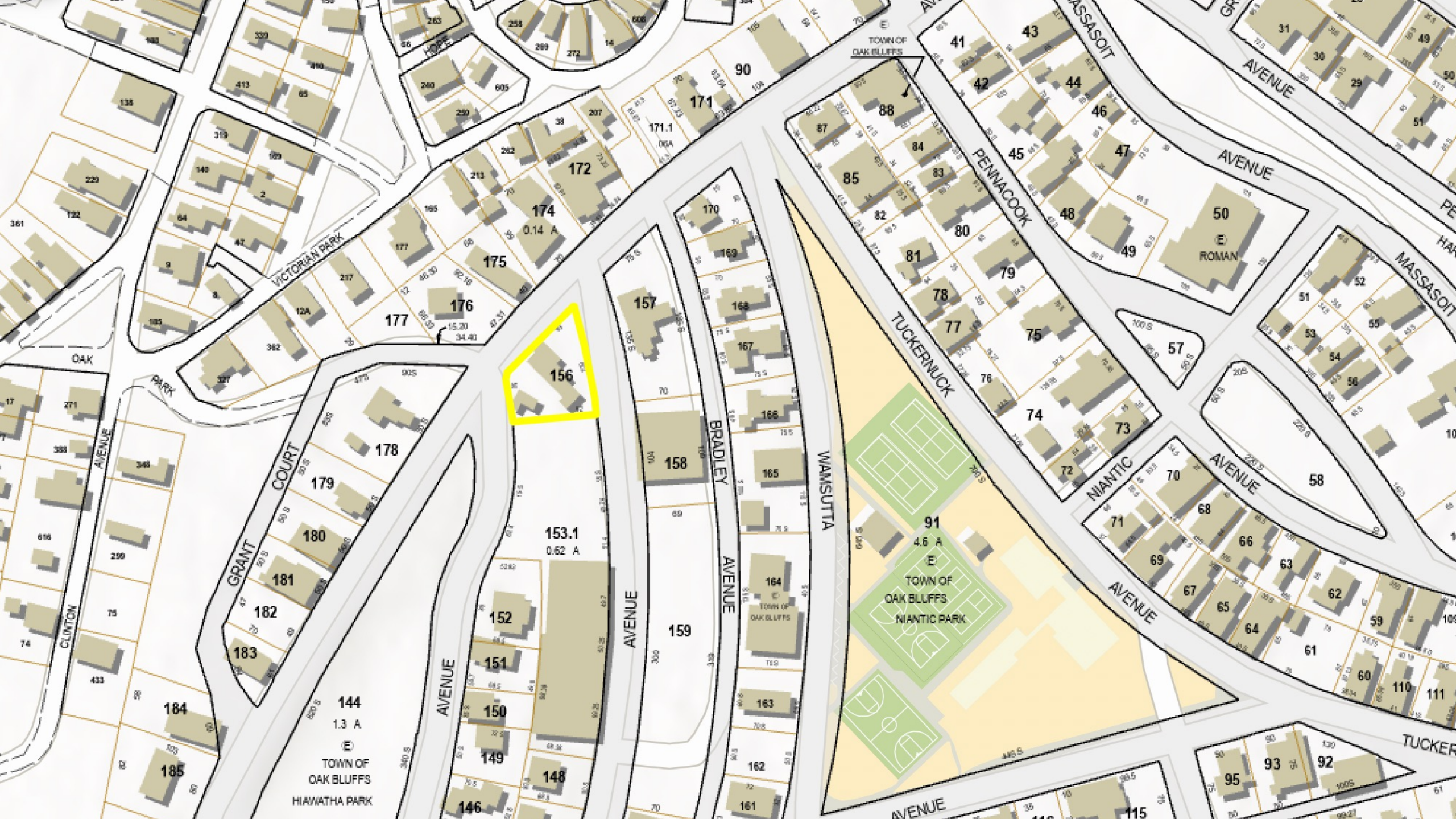
DRI 744

- **Project Location:** 3 Uncas Avenue, Oak Bluffs at the corner of Circuit Avenue and Uncas Avenue
- **Referred by:** Oak Bluffs Zoning Board of Appeals

DRI 744: Proposal

Demolition of a 19th Century, MACRIS-listed dwelling (Circa 1874 Stephen Flanders House) and an adjacent, 20th Century studio, to make way for an apartment building and a drive through ATM. Also, the creation of a rentable storage space and nine parking spaces.





156

153.1
0.62 A

144
1.3 A

TOWN OF
OAK BLUFFS
HIAWATHA PARK

91
4.6 A
E
TOWN OF
OAK BLUFFS
NIANTIC PARK

TOWN OF
OAK BLUFFS

AVENUE

GRANT
COURT

BRADLEY
AVENUE

WAMSUTTA
AVENUE

TUCKERUCK
AVENUE

PENNACOOK
AVENUE

NIANTIC
AVENUE

AVENUE

AVENUE

MASSASOIT
AVENUE

VICTORIAN PARK

OAK
PARK

CLINTON
AVENUE

TUCKER
AVENUE

MASSASOIT
AVENUE

HAR
AVENUE

11-176


Circuit Avenue

Uncas Avenue

Hiawathia Avenue

11-155





Planning Concern: Wastewater

- The Stephen Flanders House and its studio have a total of five bedrooms, according to the Town's property card.
- The Applicant's project calls for eight studio units.
- The Project Site is at present serviced by a cesspool, according to the Applicant's Agent and Board of Health Records.
- The Applicant's Agent provided a screenshot of an email from the Oak Bluffs Wastewater Department that outlined, in general terms, upgrades anticipated for the Town's wastewater system. The email does not speak to the Applicant's project.
- It's unclear if the project can be and will be allotted sewer flow by the Town.
- When asked for evidence of flow allotted to the project, the Applicant's Agent cited the email screenshot and asserted flow would be available.
- The Applicant's Agent also asserted the Oak Bluffs Wastewater Department does not have flow allotment power under 40B—that it is the purview of the ZBA, a body that will be "virtually compelled to grant a connection."



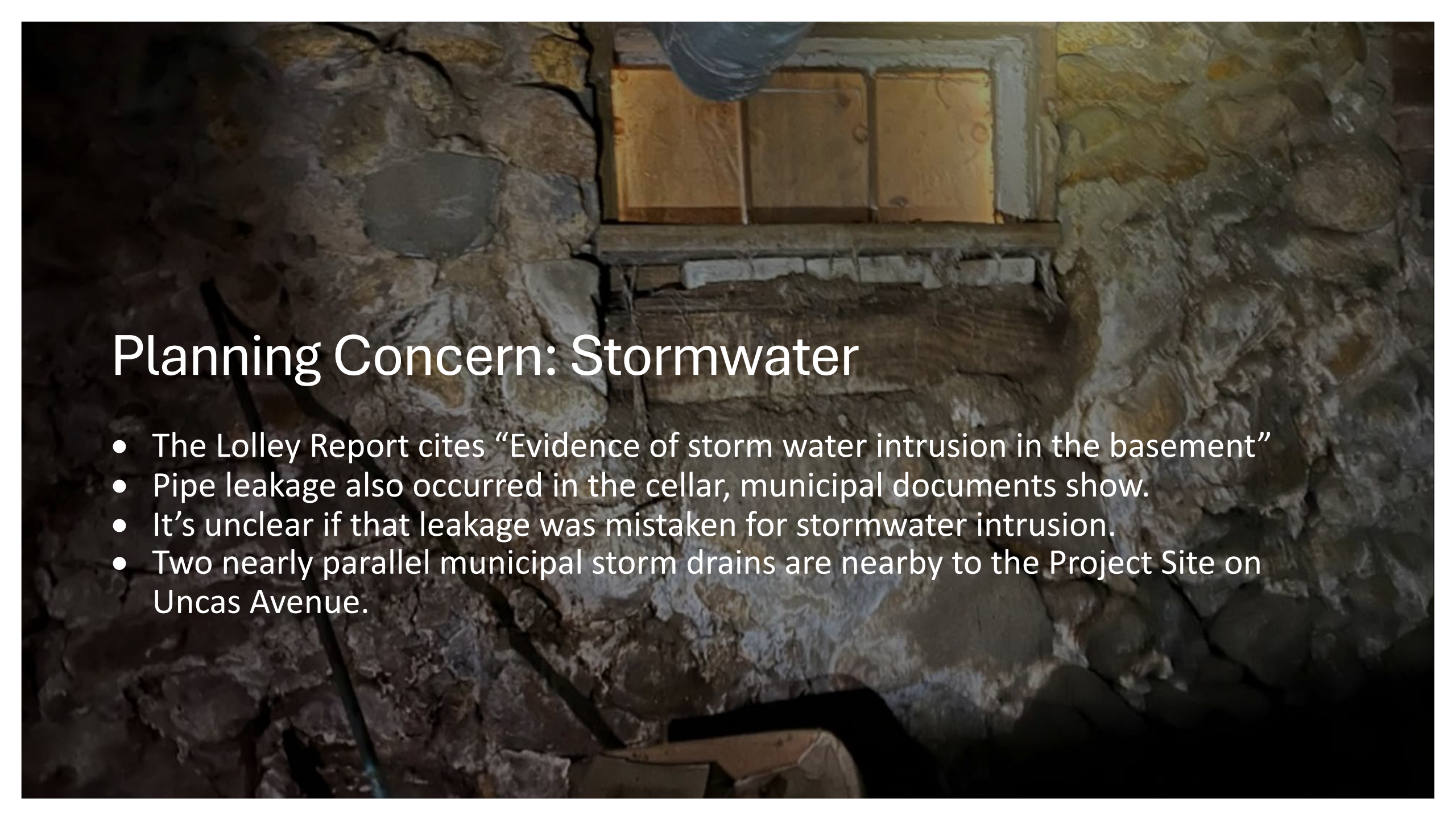
Planning Concern: Groundwater

- The Project Site is in the Oak Bluffs Harbor watershed and on the periphery of the Farm Pond Watershed.
- In response to a letter from the Executive Director sent in November (in which, among other things, missing elements of the application were outlined) the Applicant's Agent questioned the necessity of providing nitrogen calculations and asserted no further "unnecessary" expenditures would be made "until we are assured of demolition."
- The adjacent bowling alley, a business and property in Sawyer Family contiguous ownership, albeit under a different holding company, was the site an environmental cleanup.
- Prior to the creation of the bowling alley, several commercial/industrial structures on several lots occupied that area. Among the businesses on those lots were Graves Texaco and Graves Machine & Tool Co.



Planning Concern: Groundwater

- Petroleum contamination was discovered in and around Graves Texaco in the early 2000s.
- A clean up was undertaken and litigation ensued (Graves versus RM Packer Co., Graves prevailed).
- MassDEP expressed no concerns during an informal conversation with staff about the past petroleum contamination—noting the prior cleanup work was executed through the practices and under the standards of the time.
- The Nickel Penetrate findings were considered below the threshold for concern. Nickel Penetrate did not appear to be part of the cleanup.
- Some documentation also mentions chlorinated solvents but it's unclear if that type of substance was ever at problematic levels.

A photograph of a stone wall with a window. The wall is made of rough, grey and brown stones. The window has a wooden frame and is covered with a piece of yellowish-brown paper or plastic. There are dark, irregular stains on the wall, particularly around the window, suggesting water damage or mold. The lighting is dim, and the overall scene appears to be an interior space, possibly a basement or cellar.

Planning Concern: Stormwater

- The Lolley Report cites “Evidence of storm water intrusion in the basement”
- Pipe leakage also occurred in the cellar, municipal documents show.
- It’s unclear if that leakage was mistaken for stormwater intrusion.
- Two nearly parallel municipal storm drains are nearby to the Project Site on Uncas Avenue.

Planning Concern: Traffic & Transportation

- The project includes a drive through ATM, a potential high traffic generator that is specifically cited in the DRI checklist under 2.4 j.
- Information provided to staff to date is insufficient to execute a staff traffic study.
- A proper site plan has not yet been provided. The drawings that have been provided show a drive through ATM.
- The drawings do not show dimensions (see application status).
- The drawings indicate vehicular circulation to the ATM would be from Circuit Avenue onto Uncas Avenue.



Planning Concern: Traffic & Transportation

- The drawings also indicate access to the project's parking lot would be off Hiawatha Avenue.
- The Applicant's Agent has been unable to provide figures for how many vehicles were expected to use the ATM per day in season and off season.
- The Applicant's Agent was unsure if the ATM would have a canopy but was open to the idea.
- The Applicant's Agent pointed to tenants' lease agreements for proposed apartments as adequate hedges against overflow parking in the adjacent bowling alley or bank parking lots.
- Neighbors, both residential and commercial, expressed concern about parking and traffic when the project was initially pitched to the Town of Oak Bluffs and MassHousing in 2019. Their concerns were attached to a letter the Oak Bluffs Planning board sent MassHousing at the time.



Planning
Concern:
Character and
Identity +
Cultural
Resources





Planning Concern: Character and Identity + Cultural Resources

- Owner Stephen Flanders was a whaling captain who later became a state legislator and was a key player of the Commonwealth's authorization of Cottage City separating from Edgartown to form a new municipality in the 19th Century.
- Owner Ambler Wormley was a Black real estate investor, gas station entrepreneur, and civic volunteer.

Planning Concern: Character and Identity + Cultural Resources

- The MACRIS listing points to a “covered balcony with decorative posts and brackets,” a “covered porch” with “decorative posts and brackets,” “dormers,” and “decorative vergeboards with pendant,” as among the architectural features of the dwelling.
- “This house is of the expansive Campground cottage construction,” the MACRIS listing states. “It is significant as a part of the Oak Bluffs Land and Wharf Company development which began soon after the growth and popularity of the Wesleyan Grove Campground. The development became a secular alternative to the Campground and flourished as one of the most popular and well known East Coast summer resorts.”



Map 81.4.02. 1871

PLAN OF OAK BLUFFS.

MARTHAS VINEYARD
MADE BY ROBERT MORRIS COPELAND
LANDSCAPE GARDNER.

Office 40 Baristers Hall, Boston.

JUNE 1st 1871

Scale 160 ft. to an inch.

FOR PLANS TERMS & ADDRESS
OAK BLUFFS LAND & WHARF CO
EDGARTOWN, MASS

NEW ENG LITHO CO 59 SUMNER ST BOSTON.



1/4 Inch to Foot.



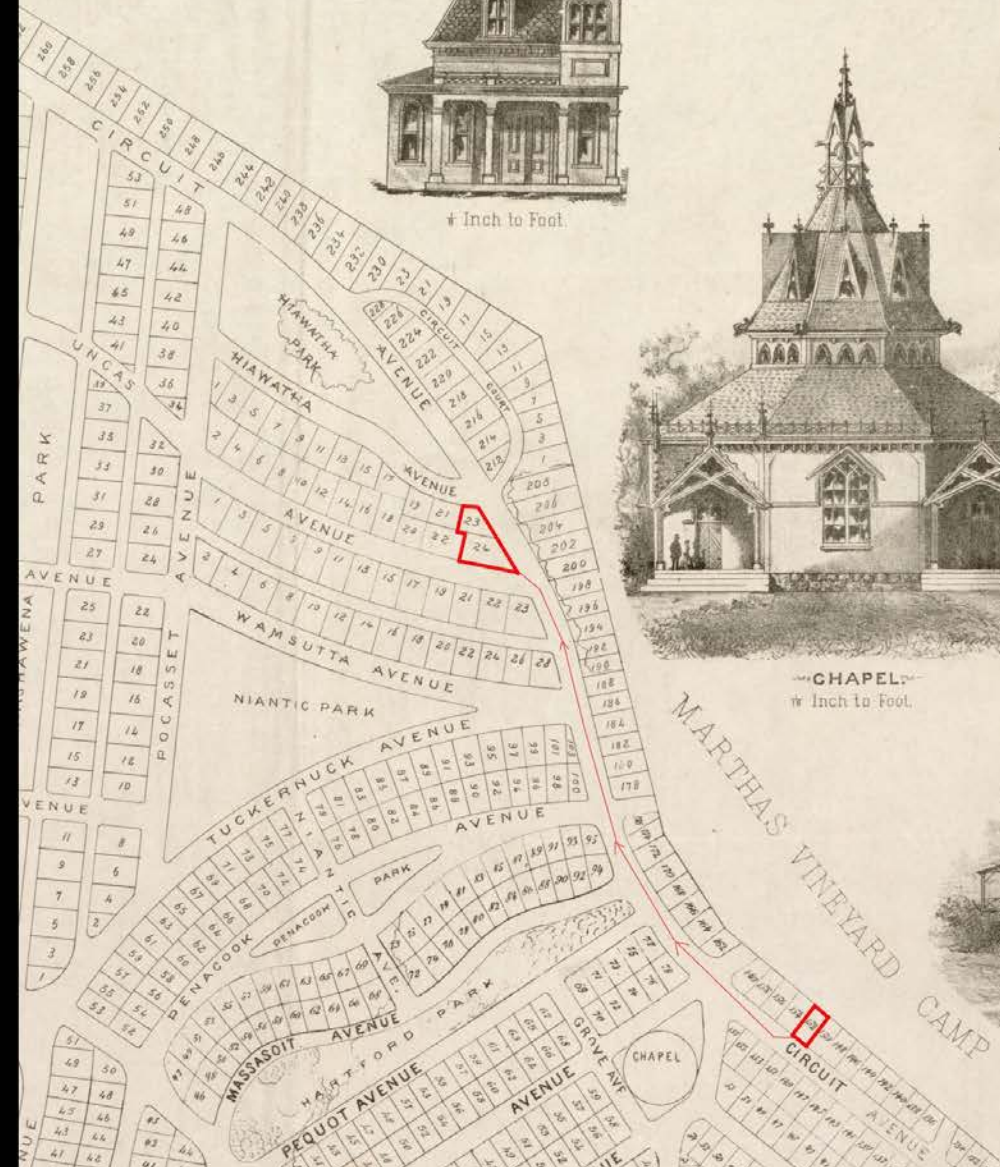
CHAPEL
1/4 Inch to Foot.



Ocean House
Sept. 20, 1871



OAK BLUFFS LANDING.



MARTHAS VINEYARD CAMP GROUND

Planning Concern: Character and Identity + Cultural Resources

In a memorandum to the Commission, Architect Eric Dray points out that many of the exterior period ornamental details of the Stephen Flanders House are still part of the dwelling. “The front porch retains its ornamental details, including the turned posts that rest on chamfered posts, and jigsaw cut scroll brackets,” Dray writes. “Also still extant are the unusual triangular cut exposed rafter tails of the porch roof. It is possible that the original posts and trim may also be extant within the enclosed portion of the porch. The second-story centered balcony and gable peak also retain their decorative embellishments.”



Planning Concern: Character and Identity + Cultural Resources

- **Cottage City Historic District:** Applicant came before District thrice but withdrew.
- Letter to the Commission: “The CCHDC, during all proceedings devoted to 3 Uncas Avenue”, the letter states, “has consistently and unanimously stated their concerns over the potential demolition of the [Stephen] Flander’s house based on its Massachusetts Cultural Resource Information System listing, it is a very visible location on the corner of Circuit Avenue and Uncas Avenue (Circuit Avenue acting as the defining line between the Cottage City Historic District and the Camp Meeting Grounds) and its exemplar architectural style (Victorian Eclectic, or more locally known as ‘Campground Cottage’). The house, even its current state, offers significant architectural detail representative of a residential past found throughout Oak Bluffs.”





Planning Concern: Character and Identity + Cultural Resources

- In a September 1, 2023 letter to the Commission signed by **Copeland Plan District Review Board** Chair Gail Barmakian, noted there were two unanimous denials of the Flowerwood, LLC proposal to demolish the Stephen Flanders House.
- Copeland denied the demolition proposal in 2019 and 2022.
- In the letter, Copeland asked the Commission to “honor” the denials.
- Additionally, Copeland states, “The Board feels strongly about preserving the integrity and character of properties and viewsapes located in the Copeland District as it is not only a District of Critical Planning Concern and protected under the powers of the Martha's Vineyard Commission, but also is significant in defining the character and history of the Town of Oak Bluffs as well as being one of the first planned residential communities in the United States and designed by Morris Copeland.”

Planning Concern: Character and Identity + Cultural Resources

- Minutes of the **Oak Bluffs Historical Commission** (OBHC) for a meeting January 15, 2019 meeting show, based on its reading of the MACRIS listing, that OBHC agreed the Stephen Flanders House was “significant”.
- OBHC went on to vote unanimously that the Stephen Flanders House was “significant in terms of architectural and social history of the town.”
- “Were this a house in Chilmark,” the **Chilmark Historical Commission** wrote in a letter to the Commission, “and found to be structurally sound, no demolition would be allowed before six months from a determination that a house was architecturally or historically significant. During that time, the Historical Commission would ask the owner to advertise in the local papers in an attempt to find someone who would move the house to a new location.



Planning
Concern:
Character and
Identity +
Cultural
Resources

Asbestos Removal





Planning Concern: Character and Identity + Cultural Resources

- A July 11, 2022 report by Engineer John Lolley states that Lolley inspected the Stephen Flanders House and the detached studio on the property on July 9, 2022 to assess their conditions.
- The report is short, two pages comprised of approximately 125 words and six photographs, letterhead, addressee, footer, date etc.
- Regarding the attic, the report notes “obvious water damage and leaking occurring”.
- Concerning the interior, the report notes “Uneven, settled, and unstable floors” and “Mold throughout interior walls/ceilings” and “Water damaged ceilings”.
- Concerning the cellar, the report notes “Deteriorated mortar” and “Rotting/deteriorated sills” and “Deteriorated brick/stone foundation walls with large cracks” and “Evidence of storm water intrusion in the basement”.
- The report concludes that the “structure,” which seems to refer to the Stephen Flanders House as opposed to the detached studio/cottage, “is not suitable for human habitation and should be demolished.”

Planning Concern: Character and Identity + Cultural Resources

- The report does not explore alternatives to demolition, such as repairs, nor does it provide descriptions or dimensions for the types of structural members the dwelling is built with.
- The engineer's stamp on the report is signed by Lolley and hand dated June 6, 2020.
- In early January, 2024, Lolley told staff via telephone the date was likely a clerical error. During the same call, Lolley offered to come to the Stone Building to discuss the report with staff. This has not yet occurred.
- A family member subsequently told staff Lolley had retired and would not be providing comment on his report.
- The Commission has not yet had an independent engineer review the Lolley Report, evaluate the Stephen Flanders House, and generate a report.

Historic Preservation: Staff Assessment

- **Age (1)**, based on policy criteria.
- **History/Cultural (3)**, with the understanding that Stephen Flanders, who features in “Captains of Cottage City: The Men Behind the Boom of the Bluffs,” which is cited for other reasons in Architect Dray’s memorandum, was a pivotal figure in the establishment of the Town of Oak Bluffs and because it is representative of architecture in what the aforementioned article argues may be America’s first planned community.
- **Design/Construction (3)**, based on being a representation of the unique Campground style and because of the ornamental features still on the dwelling as noted by Architect Dray.



Historic Preservation: Staff Assessment

- **Historic Portion of Previous Alterations (4)**, because even though the building was relocated and the porch diminished, the historic features of the dwelling are clearly observed.
- **Contribution to Streetscape/Community (3)**, based on prominent siting, Cottage City's written description of the dwelling as the defining line between Cottage City Historic District and the Camp Meeting Grounds, and Architect Dray's description: "This cottage, and the ca. 1900 cottage across the street, 105 Circuit Avenue, serve as the last residential buildings heading north before turning the bend and entering the more commercial portion of Circuit Avenue. Conversely, heading south, these two cottages mark the beginning of the residential portion of Circuit Avenue."
- **Historic Designation (2)**, based on MACRIS listing.
- **Visibility to the Public (3)**, highly visible from a major thoroughfare and will likely be seen by everyone who utilizes a planned town parking lot at 0 Uncas Avenue.
- **Condition (1)**, based on appearance and available documentation.
- **Total staff score: 20.**





Item for Consideration: Demolition by Neglect



Item for Consideration: Demolition by Neglect



Social Development: Item for Consideration: Broken Window Theory



Social Development: Item for Consideration: Broken Window Theory

Island Housing Needs

- The dwelling and studio at 3 Uncas Avenue have five bedrooms spread between them.
- The project calls for eight workforce rental studios.
- The intervals the studios would be rented are unclear as are the restrictions that would be imposed.
- The Applicant's Agent has stated that the Applicant wishes to reserve the right to sell the studios as condominiums in the future.
- The Applicant has presented no condominium paperwork (proposed master deed, proposed declaration of trust, etc.)
- The Applicant's Agent has stated his family company would manage the studios and the rest of the proposed building.
- More information is required for staff to conduct a thorough assessment of the housing proposal.

