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## Martha's Vineyard Commission

### **DRI # 612-M – Bradley Square Modification**

#### **MVC Staff Report – 2009-01-23**

**Note: Newer information is printed in bold type.**

## 1. DESCRIPTION

**Applicant:** Island Housing Trust Corporation (Philippe Jordi - Executive Director); Island Affordable Housing Fund (Patrick Manning – Executive Director); John Early (Contractor & Builder)

**Project Location:** 96 Dukes County Avenue and 8 Masonic Avenue, Oak Bluffs Map 11 Lots 193 & 195 (6,098 sf and 12,632 sf = 0.43 acres).

**Proposal:** To renovate an existing building to create a meeting room with one residential unit and an office and to build two new buildings with five and four residential units respectively. The project would have a total of ten apartments (two would be live-work spaces with 114 sf of “work” space each) with 13 bedrooms, one 928 sf market rate commercial unit, one 235 sf office, and one 710 sf meeting room.

**Zoning:** A 40B Comprehensive Permit is required for this project as proposed. The Oak Bluffs ZBA has submitted a letter indicating conditions it is considering for approval (See attached).

**Local Permits:** Comprehensive Permit from ZBA as noted above; Building Permit, Wastewater Commission.

**Master Plan:** Similar to previous proposal.

**Surrounding Land Uses:** The lot is surrounded by primarily single-family homes and is close to the “Arts District” (an unofficial designation by local merchants that has no legal standing).

#### **Project History:**

- The properties were purchased on June 29, 2007 for \$407,250 and \$497,750 for a total of \$905,000 by the Island Affordable Housing Fund, Inc. They have a purchase and sales agreement with the Island Affordable Housing Trust Corporation pending permits.
- The MVC approved with conditions a somewhat different plan on July 10, 2008. (See attached)
- After review with the Oak Bluffs ZBA and discussions with a **10**-member citizens’ committee, the applicant revised the plan to attempt to deal with their concerns. **The current plan was the result agreed upon by the Joint Committee.**

#### **Project Summary:**

This summary refers mainly to aspects of the proposal that have changed since the original approval.

- Denniston Building - Renovate the former Bradley Memorial Church in its existing location into a meeting room and an office on the ground floor with a kitchen and bathroom. Create one 2-BR residential unit on the second floor. The footprint is 1,672 square feet, **which is a slight decrease (90 sf) from the existing Denniston building.**
- Bradley One: New building with 5 residential units and 1 commercial unit facing Dukes County Ave.
- Bradley Two: New building with 4 residential units.
- 3 of the 10 residential units would count toward the Chapter 40B subsidized housing inventory below 80% AMI. 2 of the 10 residential units (live/work units) and the commercial unit would be sold at market rate. 1 of the 10 residential units would be sold between 80-100% AMI, 1 between 100-120% AMI, and 3 between 120-140% AMI.
- The main differences in the plans are:

- The Denniston Building will now stay in its existing location, with the building lifted to build a basement. The Bradley 2 building will now go where the Denniston was going to be.
- Bradley One and Bradley Two will be two stories (28') high instead of the previous three stories (32') high.
- The total floor space has been reduced from 10,274 sf to 9,320 sf (reduction of 954 sf, about 9%).
- The footprints of the new buildings will be larger. The Bradley One footprint increases from 2,032 sf to 3,012 sf (increase of 980 sf, 48%). The Bradley Two footprint increases from 2,032 sf to 2,172 sf (increase of **85 sf, 4%**).
- The service road has been eliminated and replaced by two parking lots with separate curb cuts 60 feet apart where the open space used to be.
- The number of off-street parking spaces has been increased from 11 to 20 in the two parking lots (6,420 square feet).
- Of the 18,730 square feet on the property 13,276 sf will be covered with buildings and parking (not including sidewalks), 70% of the lot.
- 22 of the 28 mature oak trees would be cut (as opposed to 20 in the original). The trees to be saved are largely on the back property boundary.
- The Oak Bluffs Zoning Board of Appeals has suggested that the maximum size of events be limited to 30 people instead of the legal capacity of 74.

## 2. ADMINISTRATIVE SUMMARY

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**DRI Referral:** Oak Bluffs Zoning Board of Appeals (December 8, 2008))

**DRI Trigger:** 3.102b:

**Pre-Application meeting with staff:** December 8, 2008

**LUPC:** December 15, 2008. The LUPC voted to recommend that the changes were not significant enough to require a public hearing (and recommended approval of the modified plan), but asked staff to check some legal aspects with Commission Counsel as to whether a new hearing would be required.

**Site visits:** 8:30 am on Thursday January 15, 2009.

**Modification Review:** The MVC voted on December 18, 2008 that the changes were significant and required a public hearing as a DRI. After consultation with Counsel the changes were also found to trigger mandatory referral as a DRI.

**Public Hearing:** A public hearing was scheduled for Thursday January 15, 2009 but was postponed due to snow. Because the public hearing had to be re-advertised, the public hearing was rescheduled for February 5, 2009.

## 3. PLANNING CONCERNS

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### Some Key Issues

- Is the new parking arrangement acceptable, with two curb cuts on Masonic Avenue and 20 on-site spaces? Can the new lots be better screened and/or reduced in size?
- What is the relative benefit of reducing the building height from three to two stories and reducing the overall square footage compared to expanding the footprints of the new buildings?
- Can more trees, especially street trees, be saved?
- How does the modification impact concerns about the project's mass, scale, and intensity of use on the neighborhood?

## **Environment**

- **Vegetation:**
  - Currently the property has 28 large mature trees, mostly black oak.
  - The original Bradley Square Plan approved by the MVC in July 2008 retained 8 trees (Trees numbered 54, 52, 40, 36, 33, 34, 31 and 27) and cut 20 trees.
  - The Modified Bradley Square plan proposes retaining 6 (trees numbered 54, 40, 35, 32, 31, and 27) and cutting 22 trees due to the proposed locations and size of the buildings.
  - **On the site visit, seeing the existing trees in relation to the proposed building and parking lots, it appeared that 5-7 more of the existing trees might be able to retained, either with no change to the plan, or with minor changes (such as eliminating the basement for the small projections on Dukes County, eliminating a parking space). The applicants said that they would look into this.**
- **Habitat:** This is not an NHESP habitat area.
- **Landscaping:**
  - A landscaping plan for the modified plan has not been submitted yet.
  - The proposal is to remove 2 more of the 28 mature trees on the site, compared to the approved plan.
  - There is little land left after the buildings and parking to landscape.
  - **The Applicants have said they will add more screening to the landscape to help hide the parking areas.**
- **Open Space:**
  - Parking lots are planned between the Denniston Building and the two new Bradley buildings on the modified plan where previously open space was planned.
- **Lighting:** Not changed from the approved proposal (path lighting would be low; low glare wall sconces would be located at doorways).
- **Noise:**
  - The modification adds a new commercial unit on Dukes County Avenue, and more parking, while eliminating the 2 live-work spaces facing Masonic.
  - The applicants still propose to install a six-foot wood fence along the back of the property.
- **Energy/Sustainability:**
  - No change from the approved design (Energy Star rating of 50% or more of Massachusetts Building/ Energy Code; possible LEED Certification).
- **Waste Management:** Each of the three buildings would have its own trash bin.
- **Water:** Town water.
- **Wastewater / Stormwater:**
  - No wastewater change (connected to the town sewer)
  - A revised stormwater drainage plan for the new proposal has not been submitted.
  - A plan for a system able to contain the runoff of a 25-year storm is required.
  - **The Applicants have said they will direct roof runoff to drywells.**
  - **Stormwater will be directed toward grass and vegetation.**

## **Transportation**

- **Traffic Summary:**
  - A traffic study for the previous application was prepared by Charles Crevo.
- **Sightlines**
  - Two new 16' wide curb cuts on Masonic Avenue are about 60 feet apart.

- **Parking**

- Existing Masonic Avenue on-street parking is informal with parking on unmarked shoulders available on both sides. Off-pavement parking is possible due to the absence of raised curbing. Parking on adjacent roadways is similar.
- In total, the previous proposal (under assumed conditions) was estimated to generate an estimated demand of 44 spaces.
- The MVC approved plan had eleven (11) parking spots on the property and six (6) on the street. The balance of the required spaces would have had to be provided on-street or at remote parking facilities.
- Staff estimates that the parking requirements for the revised plan are 29-38 parking spaces (see appendix). **19 spaces are specifically required through zoning. 10 spaces are customarily required by the Planning Board for the residential units (one each; zoning does not require residential parking in the B-1 district). Another 9 spaces are based on estimates for the Meeting Hall and residential units from the Bradley Square Traffic Study.**
- The Modified Bradley Square project site plan identifies twenty (20) parking spaces on the property and four (4) on-street (one of which is for handicap parking).

- **Vehicle Crash History**

- No change (6 reported vehicle crashes: 5 at the Masonic Avenue/Circuit Avenue intersection, four of which were angle-type collisions; 1 rear-end collision at the Dukes County Avenue/Vineyard Avenue intersection; none at Dukes County and Masonic).

- **Public Transportation**

- No change.

- **Site Generated Traffic**

- Trip generation estimates for the modified plan have not been revised yet.

### **Affordable Housing**

Residential Units:	Price Range (based on projected 2010 AMI)	1-bdrm	2-bdrms	Totals
Incomes at or below 80% AMI	\$150,000	3		3
Incomes at or below 100% AMI	\$200,000	1		1
Incomes at or below 120% AMI	\$245,000	1		1
Incomes at or below 140% AMI	\$315,000		3	3
Market Rate Live / Work Units	\$450,000	2		2
Total Units		7	3	10

- 3 of the 10 residential units would count toward the Chapter 40B subsidized housing inventory at or below 80% AMI. The Town needs 27 units to reach the 10% threshold.
- 2 of the 10 residential units (live/work units) and the commercial unit would be sold at market rate.
- 1 of the 10 residential units would be sold between 80-100% AMI, 1 between 100-120% AMI, and 3 between 120-140% AMI.
- The Town of Oak Bluffs recently reaffirmed its decision to contribute for \$475,000 in Community Preservation Committee funds to the project (\$400,000 for affordable housing and \$75,000 for historic records).

## **Economic Impact**

- The addition of the store and two live/work spaces is likely to increase economic activity within the Dukes County Avenue B-I Business District.

## **Scenic & Historic Values**

- **Streetscape:**
  - Reduction in height – two stories instead of three, and 4' lower, would have less impact on the streetscapes than the approved proposal. Streetscape profiles showing the modified proposal in the context of the neighborhood have not been submitted.
  - Loss of two additional trees, including a large one on Dukes County Avenue would be a negative change to that streetscape.
- **Historic Preservation:**
  - The historic building will be retained in its historic location. It is now proposed to be lifted in order to build a basement and then reset in its current position. An additional stairway that was in the original proposal has been dropped.
  - The modified plan is more historically sensitive to the Denniston Building but the context will be significantly altered.
- **Building Massing:**
  - Both Bradley buildings are reduced in height. The front façade of Bradley One facing Dukes County Avenue is wider
- **Architectural Detailing:**
  - Similar to the approved design.

## **Local Impact/Abutters**

- The new plan was negotiated with a committee made up of people from the neighborhoods, and attempts to address their concerns by:
  - Reducing building massing,
  - Increasing on-site parking,
  - Limiting use of the meeting room in the Denniston Building.

## **4. CORRESPONDENCE**

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### **In Support**

- A letter in support of the project from **Steve Auerbach and Phyllis Jampol**. A letter in support of the project from **Bob Falkenburg**. A letter in support of the project from the **Hanson Family**. A letter in support of the project from the **Shabica Trust**. A letter in support of the project from **Michael Hunter**. A letter in support of the project from **Herb and Dorothy Wass**.

### **Opposed (to aspects of the proposal)**

- A letter opposed to the scale of the project from **Jonathan Ayer**. A letter opposed to the impact on traffic from **Albert, Robert, Kenneth, and Dennis Rose**. A letter opposed to the scale and process from **Don Lambert, Chairman Oak Bluffs Concerned Citizens**. A letter opposed to the scale, traffic, and process from **Russell Rogers**. A letter opposed to the scale of the project from **Richard and Heather Macedo**. A letter opposed to the scale and impact on traffic from **Fred Rick Huss**.
- All correspondence from the previously approved project was distributed at Public Hearings & posted on the MVC website calendar (<http://www.mvcommission.org/calendar.html>), **but is not part of the public record for the application for the modification unless it is re-submitted.**

## Appendix

### Bradley Square - Estimate of Revised Parking Demand – January 10, 2009

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**Commercial Spaces:** For commercial parking in the B-1 District, the zoning by-law requires 1 space for every 100 s.f. for the first 500 s.f. and 1 space for every 200 s.f. after that. (It is the understanding of staff that square footage is rounded up.)

- Commercial Space: The 817 sf space requires 7 parking spaces under zoning.
- Work Spaces: Each 114 s.f. work space require 2 spots.

**Meeting Room:** For places of assembly, the Oak Bluffs zoning requires one parking spot for every five seats. The Traffic Study for the original Bradley Square plan recommended one space per three seats. Applying both rates to 30 seats (as proposed to be conditioned by the O.B. Z.B.A.) the Meeting Room would require either 6 or 10 parking spaces.

**Office:** The zoning by-law requires 1 parking spot per 150 sf, or 2 spaces for the proposed 259 sf.

**Residential:** Oak Bluffs zoning does not specifically require parking for residential units in the B-1 District; however, in the past, the Planning Board has required 1 parking spot per residential unit. The traffic study for the original Bradley Square plan used a rate of 1.5 spaces per unit is applied. The resulting demand would be 10 or 15 spaces, respectively.

Unit	Size	O.B. Zoning/P.B.	Traffic Study
Commercial	817 sf	7*	7
Commercial	114 sf	2*	2
Commercial	114 sf	2*	2
Office	259 sf	2*	2
Meeting Room	Capacity 30 seats	6*	10
10 Residential Units		10	15
<b>Total</b>		<b>29</b>	<b>38</b>

\*Specified in zoning (19 spaces)