

From: Rich Saltzberg saltzberg@mvcommission.org
Subject: Fwd: Pending DRI Modification
Date: February 24, 2023 at 3:55 PM
To: Adam Turner turner@mvcommission.org

RS

Rich Saltzberg

Martha's Vineyard Commission
DRI Coordinator
33 New York Avenue / PO Box 1447
Oak Bluffs, MA, 02557-1447
Office: 508 693-3453
saltzberg@mvcommission.org

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Begin forwarded message:

From: samdunn@rcn.com
Subject: Re: Pending DRI Modification
Date: February 22, 2023 at 11:14:57 AM EST
To: Rich Saltzberg <saltzberg@mvcommission.org>
Cc: Alex Elvin <elvin@mvcommission.org>

Rich,

Yes I do have questions and comments.

First, there is considerable confusion about what actually constitutes a modification. As you know the initial approval of this project by MVC and the Planning Board was based on preliminary drawings. Applicants cannot be expected to create final working drawings at the early stage of discretionary approvals. This necessarily results in changes as the project is fleshed out -- whether they arise from code or engineering issues, practical considerations, or simply because better design solutions are discovered as the final drawings are completed. In this particular case the drawings are intentionally vague in some areas, particularly with respect to trellises, planting on fencing and building surfaces, color, and exterior details. We have proceeded in good faith within these parameters and believe that our decisions have been within the spirit of the approvals and if anything have enhanced the project.

Second, a little history. Back in December Alex Elvin began to suggest that we had compliance issues. including mis-locating of

buildings. He went to various sources including the original plans, subsequent surveys by our engineers, and Google Earth to assess this. It is my recollection that he created an exhibit with the various sources overlain on a single drawing and the result confirmed substantial conformance to the original plans. He raised other issues as well. To resolve this we were asked to make as-built elevations of all the buildings and of proposed fencing along the south property line. This request was made on January 12. We responded on January 24 with a complete set of elevations revised to reflect what we have actually built. That was almost exactly one month ago. I have asked for an LUPC but to date MVC has taken no action, save your request for us to refrain from building certain things.

Rich, if the issues are so pressing to ask us to refrain from building, it does beg the question of why a solid month has passed with MVC doing nothing to advance a resolution. We want to cooperate to satisfy your questions, but we can't do it alone. Only you can schedule an LUPC.

I look forward to working with you. Let's get this done.

Sam

From: "Rich Saltzberg" <saltzberg@mvcommission.org>
To: "dunn Sam" <samdunn@rcn.com>
Cc: "Alex Elvin" <elvin@mvcommission.org>
Sent: Tuesday, February 21, 2023 3:31:57 PM
Subject: Pending DRI Modification

Good Evening:

Until such time as your development between Tisbury's Main Street and the Vineyard Haven Harbor shoreline (DRI 674 and its modifications to date) undergoes another application and review process for another potential DRI modification, please refrain from any (or any further) fence, wall, planter, trellis, gate, or solar array work.

Thank you.

Please let me know if you have any questions about this.

Respectfully:

Rich Saltzberg

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