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## **Martha's Vineyard Commission**

### **Land Use Planning Committee**

### **Draft Minutes of the Meeting of November 28, 2005**

Held in the Stone Building, New York Avenue, Oak Bluffs.

**Commissioners Present:** *LUPC Chairperson Christina Brown, John Breckenridge, Chris Murphy, Doug Sederholm, Jim Athearn, Paul Strauss, John Best (5:45) Megan Otten-Sargent (5:55)*

**MVC Staff Present:** *Mark London, Paul Foley, Bill Veno, Chris Flynn*

#### **1. Cozy Hearth (DRI 584) Post-Public Hearing Review**

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**Present for the Applicant:** Bill Bennett, Marcia Cini (lawyer)

**Audience:** Janet Hefler (MV Times), Mr. and Mrs. Harrington, Chris Downey, P. Hanningan.

**Project Location:** Watcha Path Road, Edgartown Map 25, Lots 10.1 (3 acres), 10.2 (3.5 acres), and 10.3 (4.4 acres). 10.9 acres total.

**Proposal:** To subdivide 3 lots (10.9 acres) into 11 one-acre lots in three-acre zoning through 40B.

Chairman Brown opened the meeting at 5:41 pm.

3 Documents were in handout

- Offers from Applicant;
- Chairman's notes;
- Possible Draft Conditions

Process

- Going over possible conditions issue by issue
- Look to see whether benefits outweigh detriments with possible conditions

#### **Water and Wastewater draft conditions.**

- Last P.H. Matt Poole said we should look at composting toilets at co-housing. CM went to co-housing to look into it. It is a complicated system but works, there are problems but maintenance contract has made it work o.k.
- First bullet under wastewater (see handout) should include maintenance reports
- There was some discussion that we should allow composting toilets for all units given a certain set of criteria. Under current regulations (Title V) the Board of Health can evict people not properly maintaining their septic systems. MVC could condition the same with composting systems.
- Some thought we should look at Co-housing, they worked their problems out but they did have problems. It was understood that Matt Poole's testimony was that he would feel more comfortable with 3 or 4 units. 20 years from now it might be easier for people to maintain composting systems.
- Commissioners were encouraged to think about this project and what makes it different that would justify a deviation from the accepted water quality standard. Why would we require a higher standard for this project?
- Commissioners discussed what combination of wastewater options they were most comfortable – there was a range of opinion.

- It was noted that Oyster Pond has the fastest recharge rate of any pond on the Vineyard. Guess is that rate of travel for water is much quicker on this pond. There is good reason to be extra careful to protect this pond.
- 3 commissioners thought 4 composters and 7 de-nitrification units would be best. 3 commissioners want more composting toilets.
- A commissioner wanted a clarification of the Maintenance Contract – Let's suppose we move in the direction of all composters, Can we impose those systems on non-members of Cozy Hearth?
- It was suggested that we could have a condition that requires all residents be members of a home-owner association.
- To summarize – there are 4 wastewater options on the table.

### **Affordability**

- Applicant offered 3 houses at 80% AMI. Draft Condition 2.2 (on Handout) accepts applicant's offer re: 5 middle income units.
- The question is whether 1,2,3,4 or all of the middle-income units should be affordable permanently?
- Some suggested all 11 be affordable but see that might make the project unfeasible.
- One commissioner felt that people should not make a profit on affordable housing lots. Chilmark has this issue raised all the time with youth lots.
- There was some discussion of people who have made a financial "killing" by selling youth lots.
- Some felt that the Applicant has said he is losing help at work due to affordability. If you don't allow the people in your community to stay you will lose them. Support the affordability distribution of the project as it has been proposed by Applicant (3,5,3)
- There was some discussion about what role profit plays. If someone buys a house in 29 years with only 1 year left they will reap a windfall. Affordable Housing should be about AH not about building wealth.
- Some did not buy the argument that those living in AH units are somehow second-class. If a developer wanted to increase density through 40b and only created the 25% affordable units necessary, the MVC would deny. They would only be doing affordable units to get around zoning.
- A commissioner asked what about the idea of reducing the proposal by a few lots out to decrease the density? That alone would affect all the other detriments we have talked about – habitat, traffic, etc...
- Do we want to talk about a range of income levels?
- If you have three at market rate shouldn't they share a larger part of the costs.
- RE: value of unrestricted lots. They are restricted to 3 bedrooms, which in Edgartown Meadows is going for about \$325,000 to 450,000 a lot but they don't have many of the restrictions that these lots will have. Rough estimate is that the unrestricted lots could go for \$300,000 to \$350,000.
- There is a large need for houses in the 140% to 150% AMI range.
- A Commissioner noted that they would rather deny it out right rather than through conditions. Others agreed.
- The group was in consensus to recommend 8 units restricted in perpetuity at the levels the applicant suggested.

According to our timetable we have to decide on the 8<sup>th</sup> and have a written Decision on the 15<sup>th</sup>.

CB continued the meeting to 7:00 pm this Thursday December 1. Staff to post. Adjourned 7:10