



BOX 1447, OAK BLUFFS, MASSACHUSETTS, 02557, 508-693-3453,
FAX 508-693-7894 INFO@MVCOMMISSION.ORG WWW.MVCOMMISSION.ORG

Martha's Vineyard Commission

Land Use Planning Committee

Draft Minutes of the Meeting of December 19, 2005

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

Commissioners Present: LUPC Chairperson Christina Brown, Ned Orleans, Kathy Newman, Mimi Davisson, Deborah Pigeon, John Best, Carlene Condon, Megan Otten-Sargent, and Paul Strauss;

MVC Staff Present: Mark London, Paul Foley, Bill Wilcox

1. Red Gate Farm Estate Plan (DRI 589) Pre-Public Hearing Review

Present for the Applicant: Doug Hoehn, (agent) and Richard Renehan (lawyer)

Also Present: Camille Rose (Aquinnah Planning Board) and Sarah Thulin (Conservation Commission)

Project Location: Moshup Trail, Aquinnah, MA.

Proposal: Estate plan dividing 366 acres into seven lots.

Chairman Brown opened the meeting at 5:35 pm.

Applicants Presentation

- Dick Renehan discussed how the Applicant got to this point.
 - Goals
 - Give each of the children a lot so that they have a stake in land
 - Preserve privacy and beauty of Homestead lot (2)
 - Emphasize privacy and environmental preservation
 - Possibility of sale of some lots for in future (economic consideration if and when needed)
 - Lot 1 – Possible sale in future. Non sub-dividable if sold outside of family
 - Lot 2 – Homestead. To remain.
 - Lot 3,4, 5 – for the children
 - Lot 6 – second available for sale in future and non sub-dividable if sold outside of family
 - Lot 7 – Beach Lot (61 acres) forever non-buildable.
 - Believes this is an environmentally sensitive plan

- No building will be allowed on Lot 7. Any change has to come back to the MVC. Lots 1 and 6 are not on the market, there are no current plans.
 - Both Sheriff's Meadow and VCS have seen and approve the plan.
 - While the family owns more lots nearby they did not want to put adjacent lots into this plan of land if there was any question of title.
 - The lot lines were drawn so that Lots 3,4,5 are close in size for value reasons. Doug Hoehn made some changes. Some lots are registered some are not. There is a stream.
 - Thought MVC Affordable Housing Guidelines would not apply, regardless, plan to make a cash contribution based on a discussion with the Aquinnah resident homesite committee contribution. The staff house on the property will remain.
 - Caroline Kennedy prefers to call this the Red Gate Farm, its historic name.
- Doug Hoehn, Engineer for the Applicant:
 - Thanked the Aquinnah Planning Board and ConCom reps for coming
 - Showed the Topo map with wetlands identified,
 - Main driveway runs throughout property. Would serve all of the family lots.
 - Lots potentially for sale have their own access (Lots 1 and 6)
 - No new curb cuts are planned. Potentially - in the future - one of the children's lots may want one onto Moshup Trail, which is Island Road District. They would have to come back to MVC for a change.
 - Showed building envelopes. 100 feet back from Wetlands, 150 feet from Moshup Trail. ConCom has jurisdiction up to 200 feet from wetlands.
 - Called NHESP, explained the situation, asked if they had to file since they do not have any building plans.
 - The only place where a road might be proposed is on the top part of lot 5 someday in future.

Town Boards

- Camille Rose of the Aquinnah Planning Board
 - The Planning Board did a preliminary review; they basically felt it was a good plan.
 - Aquinnah land use regs. (zoning, DCPC, wetlands etc.) will require review of any houses and limit development.
 - She will give MVC a summary of Aquinnah regs. that are applicable to future division and building on the property.
- Sarah Thulin of the Aquinnah ConCom
 - Has walked property many times. The Kennedy's are very much aware and sympathetic to Town goals and project on Moshup's Trail.
 - Anything within 200 feet of wetlands would have to come to the ConCom.
 - Her opinion is that the family is very sensitive to these issues. Caroline Kennedy is a conservationist.

Traffic

- With subdivisions, MVC usually looks at traffic scope.
- There is a 153-lot subdivision on file for this site
- The Planning Board was thrilled with the limited density of this project.
- Even if all of these lots were built in the same year it would not create a major impact.
- Aquinnah has a building cap that allows only 6 new buildings a year throughout the whole town.
- In terms of public services, the roads in the property are in such good condition there should not be any problem getting fire trucks in there.
- LUPC voted unanimously that the project does not require a traffic study.

Density

- There was a question of what zoning would allow if these were individual lots. In theory you could build one house per every two acres, without requiring further subdivision. There are other factors that would limit that: setbacks, wetlands, topo, there is lots of topography.
- There is the possibility that if all of these lots had three-four houses on them within a compound, the impacts would not be as inconsequential as they may seem.
- Each lot can't have more than one 2,000sf building without seeking as special permit from the Planning Board, which is committed to making houses invisible.
- MVC requests Planning Board to give MVC short course on Aquinnah planning and zoning limitations on building.
- Lot 7 no building, Lot 1 and 6 no further subdivisions (if sold outside family) Lot 3,4,5 are in the family and any further subdivision would have to come to MVC.
- Aquinnah has a permit process for family compounds.
- With respect to the building envelopes - the configuration could change slightly but these are general guides to what can and can't be done. This is not a development plan. The building envelopes just show where you might be able to theoretically develop in the future.
- Just because it is a building envelope on the plan does not meant the Con Com will approve a building there.
- There was a question of what are the specific restrictions on lot 1 and 6?

Water and Wastewater

- (see Water Resource Handout)
- Bill Wilcox looked at the nitrogen-loading issue in Squibnocket watershed, where the project is located. The pond has many of the symptoms of a eutrophic pond. The estimated time to flush the pond is almost a year and it is brackish pond at best. There are some oyster beds near the Herring Creek.
- Acid rain is an issue in a pond this size. In most ponds acid rain is 20-40% of nitrogen; for Squibnocket it is understood to be much higher. Squibnocket Pond is so large relative to its watershed and with poor flushing the acid rain dominates the other sources.
- This property makes up almost a third of the watershed.

- Between now and Public Hearing, the Applicant's agent and Bill Wilcox will work to clarify the issues and suggested mitigations
- Normally we would not take out the acid rain out of the calculation, but with this pond it might be reasonable to do so.
- Many of these lots will not be developed until long in the future. At that time Mass Estuaries should have better numbers as well as mitigating solutions. Instead of looking into individual on-site denitrification, it might be more effective to have that money go to solving a problem elsewhere in the pond or watershed. E.g. instead of \$60,000 towards 6 separate de-nitrification systems it might be better to put a portion of that towards improving our knowledge of the pond or finding ways to improve the flushing of the pond.

Second LUPC meeting was set for January 9, 2006, for further information about issues including:

- What are the specific Aquinnah zoning and subdivision regulations governing how the land could be further divided. How many lots could it have? How many houses could be built on the proposed six lots? What curb cuts onto Moshup Trail could be allowed? What restrictions on size and mass of houses are there, who reviews and enforces all this?
- A more detailed wetlands and contour map.
- A more detailed map showing the envelopes for possible building on each lot, given wetlands and contours, and size of each of these envelopes.
- Clarification of surface water issues for Squibnocket and the implications of those for this property and project.
- What are the specific restrictions proposed for Lots 1 and 6?
- Affordable housing offer.
- NHES response/involvement.

Public Hearing set for February 2.

Adjourned 7:00