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## **Martha's Vineyard Commission**

### **Land Use Planning Committee**

# **Notes of the Meeting of January 4, 2010**

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 P.M.

Commissioners Present: Christina Brown; Ned Orleans; John Breckenridge;

MVC Staff Present: Mark London; Paul Foley; Bill Wilcox; Mark Mauro

## **1. DRI 620 Morning Glory Farm – Post Public Hearing Review**

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**Applicant:** Morning Glory Farm; Simon Athearn and Deborah F. Athearn.

**Project Location:** Morning Glory Farm, Meshacket Road, Edgartown Map 28 Lot 224.1 (7.62 acres)

**Proposal:** The proposal is to remove parts of the existing Morning Glory Farm stand and then rebuild, reorganize, and expand the current commercial operation.

### **Summary:**

- The Applicant submitted a series of offers.
- There was no other written testimony before deadline.
- The offers include a series of measures to reduce nitrogen loading in the watershed that more than offset the additional loading from the expansion of the farm stand by converting areas from synthetic to organic farm management. The offers also include additional measures to further limit or reduce the nitrogen loading in the watershed, including a new offer to put in a bio-remediation swale to mitigate the nitrogen from the compost, a commitment to permanently maintain 1.2 acres in organic management, as well as a commitment to explore other nitrogen-reduction measures in the future.
- Staff clarified the Traffic Section of the Staff Report and noted that the applicants are taking two actions that should significantly mitigate the potential of traffic backing up into the street, namely closing the entrance close to the Edgartown – West Tisbury Road and providing an area within the lot for cars to wait for an available parking space, if necessary.
- LUPC unanimously approved a motion that LUPC recommend to the Commission that it approve the project with conditions, namely the applicant's offers as clarified at the LUPC meeting. Furthermore, LUPC asked staff to draft a written decision for review on Thursday night.

### **Wastewater:**

- There was a discussion of the applicant's latest offers to offset the additional nitrogen loading by converting some fields to organic farm management.
  - This would meet the Commission's Water Quality Policy.
  - Bill Wilcox clarified that organic management results in less nitrogen going into the pond, because the nitrogen is released more slowly. It was noted that the golf course required to be organic by the Commission gets international kudos.
  - The applicant will either submit a map showing the fields to be converted, or will offer to submit it to LUPC in the future.

- It is important that the wording on converting farmland to organic management be clearly worded to facilitate monitoring and enforcement.
- o John Breckenridge noted that the property is well over the MVC's recommended nitrogen loading limit for the watershed. Several options for further nitrogen reduction by treating wastewater were discussed. Adding a de-nitrification system would cost \$25-30,000 plus about \$1000 annual maintenance and it would only reduce the nitrogen from wastewater by 40%. Hooking up to the sewer might cost about \$60,000 and would reduce nitrogen from wastewater by 90-95%. However, the main source of the nitrogen is from the farming, not the wastewater.
- o Mark London summarized the situation. We have a policy that does not specifically address farming, such as by providing some bonus as there is for affordable housing. The policy says that if a property is currently over the limit, a new proposal cannot increase the loading over the existing, and additional loading must be offset. There are two ways to calculate the existing load – based on book values for the types of use (as is done with housing) or based on estimating actual practices. The latest proposal meets the stricter definition by actually reducing their load by more than the increase associated with the proposal.
- o There was a discussion of the compost heap.
  - This is the main source of nitrogen on the property.
  - The applicant's new offer is to install a bio-remediation swale to mitigate the nitrogen from the compost. They have land available next to the heap to do that and are now getting estimates. We are looking at planting switch grass in a swale designed by the Natural Resource Conservation Service.
  - Bill Wilcox said that directing the compost runoff into a swale could result in up to 100% uptake during the summer, hardly any in the winter.
  - Simon Athearn clarified that they now they have a slight crown in the land that directs the runoff into the woods and will design the swale so that it will take up the nitrogen.
  - Staff was asked to look at the wording used with the hospital and the YMCA.
  - It was agreed that the offer will be clarified to specify that they will return to LUPC for approval of the bio-remediation swale, as was done with the hospital.
  - It was noted that this will result in additional nitrogen reduction beyond simply offsetting the increased nitrogen as required in the policy. It is difficult to quantify what this extra reduction will be.
- o There was a discussion of the possibility of making further reductions in the nitrogen loading in the long term. There are a couple of possible projects here – tying the farmstand and other buildings into the sewer, or installing a concrete slab under the compost heap – that could significantly reduce nitrogen. It is likely that in the future, there will be other projects in this watershed that will need to offset their nitrogen loading; it might be cost-effective for those applicants to finance the projects on Morning Glory Farm. The applicant clarified that they would offer to collaborate on exploring other nitrogen-reduction measures in the long term.
- o It would be desirable to take a new look at the MVC's policy to clarify how to deal with farming, and in light of the fact that results are starting to come in from the Massachusetts Estuaries Project.

### **Traffic:**

- o Paul Foley made a few modifications to the staff report to clarify any possible misconceptions. The applicant is addressing the most concerning issue (cars backing up onto the road) with two actions that should vastly improve the situation:

- They are removing the entrance closest to Edgartown-West Tisbury Road. Previously the entry was only 60 from Edg-W.T. Road, now the sole access will be 190 feet from Edg.-W.T. Road.
- They are creating much more room within the parking lot for cars to circulate. Previously parking spaces could be found close to the entry causing backups onto the road. Now there will be room for at least five cars to line up within the lot before any queuing would back up onto Meshacket Road.
- o He also clarified that the trip generation rate based on ITE implies a steady trip generation rate throughout the year, whereas we know that the traffic ebbs and flows with the summer season. Staff included retail sales numbers presented by the Applicant to reflect the actual trip generation.
- o If we assume that vehicle trip generation is 80% of the number of retail sales (minus car-poolers, people rung twice, employees, etc...) then the trip generation on August 15, 2008 was approximately 680 trips in and 680 trips out. Over the course of a 10-hour day that equals a rate of 68 trips in per hour and 68 trips out; or a little more than one trip per minute in and out.
- o Christina Brown asked Transportation Planner Mike Mauro if he thought there is a problem with the traffic. Mike Mauro said no; they are improving the circulation and parking situation within the site; the sightlines are adequate; and they are removing the access close to Edg.-W.T. Road.

#### **Affordable Housing and Economic Impact:**

- o The Athearn intend to move the existing farm stand to the far side of the property for use as a dormitory for 4-6 employees a few of years. If this doesn't happen within five years, they will make the MVC's suggested monetary mitigation.
- o Simon Athearn clarified that the farm stand is presently open through December. It was agreed that this should not be part of the project description as there is not a commitment to maintain this schedule.

#### **Offers:**

- o Mark London said that the offers should be cleaned up to reflect language used in Decisions. It should include clear commitments, and extraneous descriptive material should be removed. Staff was asked to work with the applicant to clarify the offers without changing their intent.
- o The offer on having the landscaping plan approved by LUPC should be clarified and tied into the issuance of the Certificate of Occupancy.
- o The offer on the wind turbine should be clarified.

#### **Motion:**

- o ***Ned Orleans made a motion that LUPC recommend to the Commission that it approve the project with conditions, namely the applicant's offers as clarified at the LUPC meeting. Furthermore, LUPC asked staff to draft a written decision for review on Thursday night. This was duly Seconded by John Breckenridge and approved unanimously.***

#### **Benefits and Detriments:**

- o Morning Glory Farm is an Island institution that actively promotes and practices the locally grown food initiative.
- o The expansion is necessary for existing needs and will improve efficiency.
- o The swale is a major initiative for dealing with water quality.

- They are improving the traffic situation.

Adjourned 6:44