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Martha's Vineyard Commission Land Use Planning Committee Minutes of the Meeting of February 28, 2011

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 p.m.

Commissioners Present: Doug Sederholm (Chairman of LUPC); Chris Murphy; Christina Brown; Ned Orleans; Fred Hancock; and Lenny Jason.

MVC Staff Present: Mark London; Paul Foley; and Bill Wilcox.

1. Vineyard Golf Member Rooms (DRI 484-M6) Modification Review

Applicant: Martha's Vineyard Golf Partners, LLC, The Vineyard Golf Club; Peter Vincent (Lawyer).

Project Location: Map 22 Lot 57.2 (12.1 acres)

Proposal: Vineyard Golf (DRI 484) would like to modify their DRI Decision "to allow six rooms in the clubhouse to be used by members and their guests, as well as by staff".

Present for the Applicant: Peter Vincent (Lawyer); Jay Hickman (Club President); Jeff Carlson (Grounds Keeper)

Documents:

The LUPC had the following documents before them for this project:

- MVC DRI 484-M6 Staff Report 2011-02-28
- Edgartown ZBA Amendment to Special Permit 2010-10-07
- Page 5: Conditions, MVC DRI 484 Decision, 1999.
- The Applicants distributed a floor plan layout of the 6 suites in the Club House.

Staff Report:

- Paul Foley presented the staff report.
- The **Project Summary** is that Vineyard Golf (DRI 484) would like to modify their DRI Decision "to allow six rooms in the clubhouse to be used by members and their guests, as well as by staff" whereas currently Condition 1a from the 1999 DRI 484 Decision reads: "That should there be any housing to be provided upon the golf course parcel, then said housing should be for the purposes of providing housing for the golf course employees/staff/help".
- The **Project History** is that in **1999** DRI 484 was a proposal to construct a private 18-hole golf course with appurtenances and was approved with many conditions on July 8, 1999.
- DRI 484-M was a proposal submitted in **March 2000** to subdivide 10.2 acres into 6 lots on the western side of Metcalf Road abutting the golf course. Two of the lots were to be gifted to the Town of Edgartown and four were to become resident "homesite" lots. DRI 484-M was withdrawn and no action was taken.
- In **June 2000**, DRI 484-M1 was submitted to subdivide 222 acres into 4 parcels including the re-subdivision of one 11-acre parcel into 15 lots for housing. There was no action.
- On October 29, **2002, DRI 484-M2** modified Condition 3B which required two one-acre lots with two lots each be provided to the DCRHA and the Town of Edgartown for Affordable Housing. The

Town made a request that the condition as written would be unduly burdensome for the Town in that each lot is larger than one acre and that the Town does not wish to hold title to any of the residential lots. Therefore Condition 3B was changed so that there was no acreage required; only that two affordable housing lots be deeded to the DCRHA and two lots to the Town of Edgartown or its designee.

- In **2008** with **DRI 484-M5** the Applicant requested a Modification to DRI 484 to build nine houses for members, one 12-bedroom dormitory building for staff, and a bathroom on the golf course of the Vineyard Golf Club. The Applicant subsequently withdrew the request for nine member houses and did not build the additional 12-bed employee dormitory. They only built the bathrooms. The bathrooms (his and hers) were hooked up to the sewer and located in a grove of trees between the 10th, 15th, and 17th greens.

Presentation:

- Pete Vincent, the attorney representing the Vineyard Golf Club, introduced Jay Hickman, the new President of the Club. He noted that the membership of the Club has taken over control of the Club and course from the developers.
- The members would like to use the units for short periods of time. They want to modify the DRI Decision to allow the six units to be used by Members and their guests in addition to staff.
- Prior to now the six units have been used by the senior management staff of the developers.
- They are six rooms, each has a bathroom, one has a kitchenette. They would be used like hotel rooms.
- Jay Hickman, President of the Vineyard Golf Club, said that this is part of a major transition going on at the Club. He and Bob Dwyer and Sally Rohr are now the senior officers of the Club. They have an agenda to fix whatever problems might exist.
- The developers do not control the golf course parcel. The developers do control the 11.1 acre lot (Map 22 Lot 57.12) where the houses had previously been proposed.

Discussion:

- Doug Sederholm asked what role the developers play.
- Jay Hickman said that all of the developers are stepping off of the Board in September. There are seven memberships that remain to be sold. They would like to be able offer these rooms to their members. They would like to sell the remaining memberships.
- Doug Sederholm asked to what extent the rooms had been used before.
- Jay Hickman said that the developers were technically employees and staff of the Club. He added that at no time were the suites used on a full time basis. One suite was used extensively by Mr. Larkin.
- Lenny Jason inquired who were the other staff that were allowed to use the suites.
- Jay Hickman said that the Treasurer and the Vice-Chairman were also using the suites.
- He said that in the short term the idea is to get as many members to use them as they can. They foresee them being used for long weekends and/or one-week at a time. For example, Bob Dwyer has a house and he has friends who come to golf and stay with him. It would be nice for a member to be able to put his friends up at the Club.
- Lenny Jason said that it was his recollection during the original hearing that we didn't want people flying in here on jets just to play a game of golf and then fly out.
- Jay Hickman said that they have a high percentage of members who live off-island.
- Fred Hancock asked if they would issue regulations about the use of the units.

- Jay Hickman said that the suites would be used for no more than a week at a time. They have 297 proprietary members and about 150-160 island members. There are also 15 honorary members.
- Lenny Jason said he could give the case against allowing the suites to be used. When the MVC made its decision in 1999 they were willing to forego 140 residential lots so that you could build a golf course. We did not want people flying in just for golf.
- Pete Vincent said that they are bedrooms, not efficiency apartments. They would likely be used for two to three night stays

Recommendation:

Christina Brown made a Motion to recommend to the full Commission that this is a significant change to the originally approved DRI requiring a public hearing review as a Development of Regional Impact. Lenny Jason duly seconded the Motion.

- Pete Vincent noted that the Edgartown Zoning Board of Appeals found it to be a minimal change to their Special Permit.
- Christina Brown noted that the MVC looks at different issues than the ZBA.
- Lenny Jason said that if it goes to a public hearing then we can take a look to make sure they complied with the conditions.
- Pete Vincent noted that when they were here two years ago the Staff did a compliance review and they found that the Golf Club had complied with all of their conditions.
- Doug Sederholm said that we are aware that this is an award winning organic golf course but that is not what we are looking at. He asked that they distinguish the rights and roles of the membership and the developers. Show which parcels the developers still control.
- Pete Vincent said it comes down to they have 300 members who would simply like to enjoy their club.
- Paul Foley asked if they still planned to build the 12-bed dormitory that the MVC approved in 2008.
- Jeff Carlson said that they already have the required 40 beds now in the existing dormitory and duplexes.

The LUPC voted unanimously (6-0) that this is a significant change to the originally approved DRI requiring a public hearing review as a Development of Regional Impact.

- Chris Murphy said that Pete Vincent had been clear and that the golf club had done a good job with the course. He added that their job is to make a good argument for why the MVC should allow them to have member rooms.
- Lenny Jason said that he doesn't think that they need to do a traffic study.
- Christina Brown made a Motion that if the MVC decides this modification must go to a public hearing review as a DRI that we should waive the traffic study. Chris Murphy duly seconded the Motion. The Motion passed unanimously (6-0).
- Jay Hickman said that the Club only increased in membership by 10 members between 2007 and 2010. This winter they have added another 15 members.
- Fred Hancock asked if they are getting unwanted house guests or are we going to add trips because we are creating a convenience?

- Christina Brown said we have a concern about what will be done with the 11 acre parcel that the developers still control. Staff pointed out that any proposal on that lot would have to come before the MVC.
- Jay Hickman said he would be happy to stipulate that members and guests could only use these six suites.

Wastewater:

- Bill Wilcox said we are not getting as many lysimeter read outs as we are supposed to. It's supposed to be three times a year and it has been difficult to get them during the summer resulting in no more than two rounds of samples per year for many years. In addition, the data is not provided in a timely fashion.
- Jeff Carlson said that they get the well records regularly. He said that testing has turned out to be a good thing. The testing ultimately proved that it was not the Vineyard Golf Club who was to blame for the plume found in the groundwater a couple of years ago. It turned out to be failed septic systems. People pointed their fingers at the club but the testing the MVC made us do proved it was not the Club.
- Jay Hickman said they have nine years of history now. They think they have an admirable track record. They would like to add this small amenity to for their members.

Adjourned 6:35 p.m.