

Meeting House Place Comprehensive Project Description

Property Detail

The property is located at 139 Meeting House Way, Edgartown, Massachusetts and is shown as Edgartown Assessors Map 37, Lot 47.

The property currently consists of 5 individual single family lots approximately 10 acres each totaling 54.26 acres that run between Meeting House Way and Meshacket Road in Edgartown. It abuts Division Road (a/k/a Henry's Path). The land is owned by Meeting House Way, LLC.

It is located in the R-20 zoning district (1/2 acre per lot zone).

A- Project Overview

Meeting House Place is a 34-lot subdivision proposed on the property at 139 Meeting House Way, Edgartown. As designed, the project is approximately 30% of maximum allowable density. At its core, this is a simple single-family home subdivision that is meticulously planned and executed and provides major benefits to the Island especially for affordable housing and nitrogen removal.

The lots are configured in clusters of three "pods" or clusters. The pods will be built in phases over several years to minimize disruption to the existing property. We anticipate the homes to be built at a rate of 3-4 per year conservatively.

Wildlife corridors have been created throughout the property and at the perimeter. The applicant was asked by the Edgartown Planning Board to remove one lot (#17) and the applicant complied. Additionally, the applicant removed another lot to accommodate an expanded wildlife corridor. The MVC LUPC reviewed the plan and asked the applicant to change the lot layout by pushing the lots together to create clustering on the site. The applicant complied. By clustering the lots as requested, reducing the building envelopes and widening of open spaces since the original submission, the plan has improved significantly. Wildlife corridors are connected to the approved NHESP moth habitat preservation and protected by the conservation easement overlay. All open spaces total 64% of the entire property.

There will also be one common lot. The common lot will be owned by the homeowner's association. A structure not greater than 900 S.F for use by all owners as a common gathering area will be allowed and this structure may not be used for any residential purposes.

The property is on town water and town wastewater which is stubbed into the property with access to Division Road. Water and sewer departments have both indicated the systems have the required capacity to accommodate 34 lots. Sewer and water lines are installed in Division Road currently.

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Project Overview continued...

Each home will be designed and constructed with a traditional Island style aesthetic that addresses energy conservation and is allowed a maximum of 5 bedrooms per lot. The maximum house size is 4,800 SF which is calculated using conditioned/livable space above ground.

The roadways in the subdivision will be asphalt roads with appropriate drainage swales and utility right of ways. Driveways to homes are gravel, garages are required and there is no on street parking allowed.

Importantly, covenants and architectural home restrictions will be recorded against each of the lots to ensure all requirements are enforced.

The vision of Meeting House Place is to create a sustainable project that respects the unique character and identity of the Island, preserving open space, exercising proven sustainable environmental practices while being sensitive to the impact on abutters. The project will provide a meaningful and impactful long-term affordable housing solution through generous donations. The proposed improvements include achieving a higher level of ground water quality in the project watershed by completely eliminating nitrogen discharge from the project to net zero and significantly reducing nitrogen levels of exiting nitrogen contaminated groundwater. The project nitrogen mitigation results in a “net neutral” project wide nitrogen loading and additionally removes another 50% of MVC policy maximum allowed project nitrogen discharge which is below/better than “net zero” project nitrogen. Furthermore, the applicant has created significant protection of open lands at 64% of the project permanently protected using deed restricting conservation easement. The project offers additional improvements such as significant NHESP approved sensitive species protection and enhancements, ancient trail preservation, environmentally and energy sustainable & sensitive homes and many other betterments. Details of each of these are described as follows:

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B- Affordable Housing

The applicant has made the following Offer regarding an affordable housing contribution:

1. Whereas the applicants property abuts a proposed site designated as affordable housing controlled by the Edgartown Affordable Housing Committee, the applicant believes that supporting the affordable housing project next door to the project property is the appropriate use of affordable housing funds and encourages the Committee to use the funds for that site. Applicant will pay all funds to the entity/party as directed and specified by Martha's Vineyard Commission.

The applicant hereby offers to pay the sum of \$1,112,200.00 to the Edgartown Affordable Housing Committee pending approval of the subdivision.

Payment to be made in the following installments:

- a- Applicant agrees to **pay the full required fee of \$490,000.00** as requested per the Edgartown Affordable Housing Committee letter dated March 26th, 2019 accepting monetary contribution from the applicant for affordable housing.

- b- Additionally, for each lot sold by the applicant the applicant will pay an **additional \$18,300.00 per lot** (assuming 34 lots are approved) to the Edgartown Affordable Housing Committee which will generate an additional contribution to affordable housing of \$622,200.00 upon the sale of the 34 lots. This \$1.112M contribution is 230% of the required contribution toward Edgartown affordable housing.

2. One percent (1%) transfer fee:

In addition to the \$1.112M contribution, the applicant offers a **1% transfer fee** of all future sales of homes and real-estate into perpetuity (after the initial sale of each lot). It is anticipated this 1% transfer fee on the sale of homes and lots on a near term basis, will yield annual cash flow to Edgartown Affordable Housing of \$200,000 to \$300,000 per year in perpetuity. The result of the transfer fee is a funding mechanism that allows for long-term planning to address the affordable housing issue and build new homes yearly. This transfer fee is estimated to produce more than \$25 million over the next 80-100 years for this project alone.

The Covenants for the property and all deeds for each lot will contain the following perpetual requirement: Upon any sale subsequent to the original sale from the developer, the seller and buyer shall pay a fee, split equally, totaling one-percent (1.00%) of the sale price to the Dukes County Regional Housing Authority or a similar agency as determined by the Martha's Vineyard Commission. This provision is enforced through the recorded Covenants and deeds.

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Affordable Housing continued...

The closing attorney is required to collect this fee at closing before a property can transfer ownership. The **property Covenants and deeds for each lot will require** the seller to pay one half and the buyer to pay one half of the 1% at closing.

3. The applicant, at the applicant's sole cost **will run water lines and wastewater lines** from the applicant's property through applicant's sewer/water mains to where it abuts the Edgartown Affordable Housing property next door. This eliminates the need for the affordable housing project to cross Meshacket Road and eliminates significant utilities installation and cost along Meshacket Road which is a meaningful contribution and betterment.

The applicant has met with and the Edgartown Affordable Housing Committee Chairman to understand the Committee's needs for cash and land and has accepted the Committee's request for cash per letter dated March 26th, 2019. Applicant feels the cash is vital to build the units next door and has offered additional supplements both short term and long term in the form of, 1-cash from the sales of lots and 2- the 1% transfer fee on all sales into perpetuity to create yearly cash flow for the affordable housing and a long-term solution to affordable housing; 3- utility extension to the affordable housing site at the cost of the applicant. The applicant's offers are substantially in excess of the Martha's Vineyard Commission's Affordable Housing Policy.

Notably: This contribution appears to embody one of the largest affordable housing contributions to date on Martha's Vineyard and creates a transfer fee mechanism that could be implemented Island wide to effectively address the Affordable Housing issue.

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C- Compliance with the MVC Water Quality Policy

The applicant has submitted a detailed Nitrogen Management Plan dated March 20, 2019 in conformance with the Martha's Vineyard Commission's present Water Quality Policy which will be reviewed by a peer review firm engaged by the MVC. Included in the plan are the following:

1- Nitrogen report EXECUTIVE SUMMARY:

- a- Per MVC Policy: Wastewater loading is calculated at **(3mg/L)**.
- b- Per MVC Policy: Lawn nitrogen is calculated at **3 lb. per foot/yr.**
- c- Per MVC Policy: The applicant's project, with mitigation as described in the reports, **meets the maximum allowable nitrogen loading.**
- d- Betterment-The applicants project not only meets the allowable nitrogen loading per MVC policy but the **proposal removes an additional +-50%** of allowable nitrogen below "net zero" resulting in the substantial improvement of the water quality of the Great Pond watershed.
- e- Betterment: Applicant is proposing **limiting lawn fertilizer** to 2 lbs./ft./yr. and shrubs, hedges, planter areas and trees to 1.5 lbs./ft./yr. (strictly enforced per HOA Covenants)
- f- Betterment: On-site small **shallow wells for landscape irrigation** for the home are included (strictly enforced per HOA Covenants)
 - Betterment: Reduces potable water demand 21,400 gpd during irrigation periods.
 - Betterment: **Reduces municipal water demand** by 3.2M gallons per/year.
 - Betterment: **Removes nitrogen in existing ground water** 12kg/yr.
 - Betterment: **Removes additional nitrogen** from existing ground water from neighboring off property sources.
- g- Betterment: **Weather station-based irrigation** control systems required (strictly enforced per HOA Covenants)
 - Betterment: Reduces excess irrigation & leaching
- h- Betterment: Landscape plans will require **native materials that are low maintenance, low water/nitrogen** (strictly enforced per HOA Covenants)
- i- Betterment: Landscape plans will **require drought tolerant species** that are non-invasive (strictly enforced per HOA Covenants)
- j- Betterment: **Use of Permeable Reactive Barrier** to remove significant levels of nitrogen to be installed prior to any lots being sold.
 - Betterment: **Removes a large portion of groundwater nitrogen** for proposed 34 lots on site
 - Betterment: **Removes nitrogen generated by landfill up-gradient** (upstream) sources
 - Betterment: **Removes future nitrogen generated from affordable housing** landscaping up gradient adjacent to applicants' site
 - Betterment: **Removes nitrogen generated by neighboring** properties

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Compliance with the MVC Water Quality Policy continued...

- k- Betterment: **To be sewerred at the applicant's expense-Twelve (12) properties of Hotchkiss Lane** adjacent to the project in Edgartown watershed proposed to be connected to sewer through applicant's onsite new sewer main. Applicant will also pay to connect each home to the sewer.
-Betterment: Hotchkiss home value should be enhanced.

Supplemental Water Quality information:

1. The applicant shall provide and **install a permeable reactive barrier (PRB)** per Lombardo report dated March 20, 2019 to remove nitrogen generated on the project site and adjacent properties. **Lot sales may occur once the PRB is installed** and certified. In addition to the above, **one third of lots will be allowed to be sold upon the sewerred of one third of Hotchkiss properties.** Upon the completion of sewerred the next third of Hotchkiss properties (or acceptable alternate properties), the applicant may sell the next one third of properties and same for the last third of sewerred properties.
2. The applicant shall require all homes in the subdivision to **install small shallow water wells for irrigation.** Using irrigation wells instead of municipal water to irrigate landscape provides betterments in many ways including; 1- most importantly the use of irrigation wells **removes nitrogen from the groundwater,** 2-the **reduction of the amount of municipal water** piped through the municipal system by over 3.2 million gallons per year reducing wear and tear on the system, 3-**eliminates major irrigation water demand** on the municipal system during peak demand periods June thru September, 4-the reduction of the amount of water removed from the aquifer due to **elimination of loss and processing** of potable water through the municipal system, 5- the direct replacement of irrigation water is immediately absorbed into the ground water through leaching and immediately returned to the ground water aquifer from which it came. Using small shallow irrigation wells on site will have no net difference in net effect to the aquifer, such irrigation water is reintroduced to the same aquifer **within 80-100 feet of well source ,** 6- by avoiding use of municipal water system for irrigation, using existing **groundwater eliminates the introduction of any chemicals** into the aquifer groundwater such as fluoride added to the municipal water system for public health reason.
3. The water district has been in the process for numerous years of collecting necessary data and monitoring in concert and approval with Mass DEP. As per communication with the Water Department it confirmed sufficient potable water system capacity and delivery capacity as required by Mass DEP (see Jan 30, 2019 letter from Superintendent Edgartown Water Department). **The water department can deliver water to the proposed site without any problems and is in full compliance of their systems at the DEP** (as noted in emailed

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Compliance with the MVC Water Quality Policy continued...

4. letter dated January 30th, 2019 from William Chapman Water Superintendent Edgartown Water Department).
5. As per Mr. Chapman, *“there are no deficiencies with our operations... the study accommodates a 2035 buildout of Edgartown and Mass DEP found no deficiencies in our operations and has no suggestions for our improvement.”* The issue is a long-standing Edgartown wide study and is not related to the applicant’s project nor is the applicant’s project related to any current or future municipality permit modifications at the Mass DEP.
6. The **applicant will provide twelve (12) sewer hookups** for homes located on Hotchkiss Lane at applicant’s expense to remove a substantial nitrogen load generated by the septic systems from these homes. This will result in a major reduction of existing nitrogen polluting the Great Pond watershed and aquifer. Applicant will provide sewer line connections and pumps for the new sewer connections eliminating existing septic pollutants of which some have or will inevitably fail. Septic tank nitrogen discharges are a major source of existing nitrogen introduction into the Great Pond watershed. Should some Hotchkiss homes decline to be connected to the wastewater system, the applicant will consider alternative properties (total of 12 ea.) which may be substituted to extend sewer connections to homes on septic within equidistant areas and lengths. Hotchkiss homes acceptance of offer by applicant shall be for a period of one year from subdivision approval. Upon completion of sewer connections to 1/3 third of Hotchkiss homes or an acceptable alternative location (a total of 4 homes), applicant shall be allowed to sell lots contained within Pod A, or one third. For the second and third groups of 4 homes in Hotchkiss or acceptable alternative location, applicant shall be allowed to sell lots in Pod B and Pod C respectively approximately one third each Pod.
7. The applicant will provide a new **small on-site pond which will aide in neutralizing/mitigating some amount of nitrogen** (amounts neutralized by the pond are not included in the mitigation totals provided in the nitrogen report as submitted).
8. The applicant will create **manmade vegetated buffers further assisting nitrogen mitigation** and removal from existing ground water (no amounts are included in nitrogen removal totals). Such pond also significantly **enhances wildlife and habitat sustainability within the wildlife corridor** planned on site within the open space area protected by deed restrictive easement overlay. There are no wetlands on the property.

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Compliance with the MVC Water Quality Policy continued...

9. A **lawn fertilizer program with strict requirements** regarding nitrogen levels will be enforced by the HOA to improve water quality.

NITROGEN SUMMARY: Notably: the project is not only 'net zero' (contributes no new nitrogen to ground water) but is in fact 'net positive' by +/-50% reducing nitrogen contribution below zero of the allowable amounts per MVC policy. According to the project engineers, they are not aware of any other projects on Martha's Vineyard which have achieved such a level of nitrogen removal from the island ecosystem.

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D- Open Space and Restrictive Easement

The applicant has worked diligently to maintain **64% of the site committed to permanently protected and preserved open space within the project** and to protect primary habitat of the only endangered species identified by the recent thorough scientific based study conducted by the NHESP.

The property is in the R-20 zoning district which allows for ½ acre lots. The lots in the proposed subdivision range in size from 1 acre to 2.68 acres with an average lot size of 1.55 acres. Utilizing current allowable zoning, others (not applicant) have proposed that up to 90 lots with various site plans contemplated be developed on the property but they would not meet other requirements of MVC policy. Therefore, the applicant **has carefully designed the community and site with all MVC Polices in mind to try to balance all aspects of these polices and create a viable, balanced, sustainable and environmentally responsible community.** The applicant has taken a significantly more detailed and sustainable approach with a total of only 34 lots to protect 64% of the project for open space through home clustering, restriction to development envelopes, limits on home size to 4800 sf and other limitations. **Strict Covenants and Restrictions are detailed and recorded against the property deeds and enforced by the Homeowners Association with the power to levy fines, fees, penalties, property liens and foreclosure.**

Each lot has a **designated Development Envelope** to contain and restrict all construction of homes, garages and improvements with prohibitions against disturbances outside of the Development Envelope. There is a **“no cut” prohibition** included and strictly enforced in both the Covenants and **with the restrictive easement overlay.**

Buildings or manmade improvements outside of development envelope are strictly prohibited as per the restrictive easement overlay dedicated to open space and as per NHESP moth preservation practices and requirements contained within the Conservation Management Plan (“CMP”). The open space requirements are strictly enforced by the Homeowners Association restrictive Covenants, the restrictive easement and through the power to levy fines, penalties, liens and foreclosure by the Homeowners Association. The NHESP allows the Homeowners Association to be the designated enforcement entity with third party periodic reviews. NHESP has provided document language acceptable to the NHESP for restrictive easement enforcement by the HOA which has been used on many projects on the Island and throughout Massachusetts very successfully. Within the CMP, filed with and approved by the NHESP, the Association is required to engage a third-party qualified biologist and licensed surveyor to inspect the property and report any violations bi-annually. Fines may be levied against an individual homeowner and or the Homeowners Association by the NHESP for violations.

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Open Space and Restrictive Easement continued...

The **Homeowners Association must maintain errors and omissions insurance (E&O) for its actions or violations.** This is a strong mechanism for enforcement. Within the Covenants each individual homeowner is additionally granted the authority to enforce the “not cut” provision and any other violations under the restrictive easement. This is a check and balance and is also a strong enforcement mechanism.

Approximately **20 acres of the property will be deed restricted through the permit issued under the Endangered Species Act and as approved by the NHESP.** Additionally, the applicant has agreed to betterment **that further restricts 15 more acres for moth enhancement land.** The applicant has offered to **plant additional habitat enhanced trees** to further enhance the Imperial moth habitat by 15 acres.

The total Development Envelopes and road layout equal 19.80 acres (36% of the property) providing for a total of **34.52 acres of open space (64% of the property).** The corners of each **lot and the corners of each development envelope will be permanently staked** and maintained by the HOA to clearly identify the open space no disturbance zones making it easier to manage and enforce. Discreet but **permanent educational and restrictive signage** will be posted and maintained by the HOA to identify the protected easement area. Applicant has examined numerous exhaustive site plan layout scenarios to move the Development Envelopes closer to and adjacent to the roadways thereby increasing the rear lot open space by 10%. However, after careful consideration applicant and landscape designers/engineers felt it was important to screen homes from the roadways, create privacy for individual homes by setting the development envelope back for landscape screening and for landscape and habitat enhancement.

A single deed restricted conservation easement enforced by the HOA is anticipated to be recorded against the entire 54 acres (currently 5 single family building lots) prior to recordation of then recorded are, a- plan for subdivision and b- Covenants & Restrictions in that order. It has exclusions for, 1- roadways common area improvements entrances etc. to be built as detailed by the approved and permitted site plan, 2-development envelopes as shown for specific allowed uses and, 3-one small common area and a single 900 sf day use building owned by the HOA. The applicant has utilized this highly effective and enforceable deed restricted conservation easement overlay in numerus projects with much success.

This method of deed restriction and enforcement is used successfully, widely and regularly for decades on the Island. The rights and enforcement mechanisms are established and proven. Homeowners have the greatest interest in long term protection of the subdivision values and open areas and homeowners also face the most severe and negative consequences of fines and penalties for non-enforcement or violation of open space requirements. These are very established common law and property law practices and the applicant has found this to be the most effective means of enforcement.

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E- Wildlife Corridors and Critical Habitat

Wildlife corridors and critical habitat have been created for transverse migration the entire length of the property consisting of large open areas for through property migration of the species.

The applicant has a preliminary approval from NHESP for the project. The plan approval letter from Mass Wildlife and NHESP has been submitted to MVC. Notably: *...“the Proponent has worked cooperatively with the Division to address impacts”, “The Division anticipates that a suitable long term benefit can be achieved through on-site habitat protection and conservation funding of state listed species, and that the Project should be able to meet the performance standards of a CMP (Conservation Management Plan).” Mass Wildlife.*

MEPA application and process were implemented and finished with MEPA determination letter issued in April 13th 2018. Notably: *“The ENF has sufficiently defined the nature and general elements of the project for the purposes of MEPA review and demonstrated that the project’s environmental impacts will be avoided, minimized and or mitigated to the extent practical. Based on the review of the ENF and comments received, and in my consultation with State Agencies, I have determined that no further MEPA review is required.”* Letter dated April 13th, 2018 from Mathew A. Beaton.

The current proposed project will establish approximately 20 acres of permanently protected “Imperial Moth habitat corridor” at the east and south property to preserve the highest quality moth habitat and provide a migration and foraging habitat corridor between other mapped habitats at the north and south limits of the parcel. The corridor is assumed to provide highest quality habitat for the Imperial Moth because it supports dense growth of pitch pine. **The project also reduces impacts and habitat fragmentation within the remainder of the mapped habitat while meeting the residential objectives of the project. Restoration and management of lower quality habitat areas on site to improve their function as habitat for the Imperial Moth has been offered by the applicant to improve and increase critical moth habitat and will be permanently protected.**

The applicant has contacted and requested three qualified conservation groups, based on NHESP’s recommendation, to hold the Conservation Restriction on the property. Those three have declined. The NHESP has therefore allowed and required the HOA to be the responsible beneficiary party (who has a strong interest) and will require the homeowner’s association to enforce the conservation deed restriction easement overlay. Additionally, the homeowner's association, through **a third-party qualified biology firm, will provide NHESP with the required habitat monitoring and associated reporting bi-annually.** What has changed during the project approval process? **Since the first iteration of the plan at the LUPC in November 2018 the applicant has reduced the lots to only 34, reduced the building envelopes, reduced**

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Wildlife Corridors and Critical Habitat Continued...

the number of bedrooms, reduced the home square footage (4,800 sf), provided additional and tighter clustering of the homes, increased open space, increased wildlife habitat and increased primary habitat. As a result of further refinement by the applicant the revised plan reduces any offsite mitigation to approximately 3 acres. This take is approved by NHESP to include a specified contribution to the NHESP for ongoing and future wildlife habitat study on island and in their study areas.

Recent 2017 NHESP mapping studies identified the **Imperial Moth as the only endangered species on the property.** With specific regards to the Northern Long Eared Bat, the Department of the Interior Fish and Wildlife Service 50 CFR Part 17 has determined that designation of critical habitat is not prudent and is potentially detrimental to the welfare of the bat.

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F- Character and Identity

There are three core goals that will be utilized to preserve and enhance the character and identity of Meeting House Place:

1. Be Thoughtful to the Existing Surroundings

When initiating design, it is important to take stock of the unique qualities and features of a site. This sets up a framework for how to create a design that is respectful and responsive to that which already exists. Lots should be planned such that they minimize site disturbance. Tree removal is to be the minimum necessary to accommodate buildings and comply with wild life protection. As much as possible, the tree canopy should be preserved. Grading and drainage designs should take into account natural landforms and drainage patterns to minimize their disruption. Architecture should work with the site and the existing topography. Buildings should be designed to respond and step with grade and landforms creating individual, site specific designs. The architecture should look as though it grows out of the site rather than taking it over.

2. Create Architecture that is an Outgrowth of its Environment

It is very important that an overall visual harmony be maintained in Meeting House Place. Additionally, it is important for the architecture to relate to its surroundings. For this reason, the architectural vision calls for the use of common and unique building materials both consistent with “Island style” architecture and specifically Martha’s Vineyard design aesthetic reflecting the historical past and blending with modern functionality. Selected color schemes should complement the natural landscape’s pallet using contrasting colors only as accents. Architectural forms should be derived from a response to climate and should have an honest expression of structure. Scale and placement of a building must be sensitive to the surroundings and neighboring homes in the development and surrounding areas.

It is suggested and encouraged that the tradition of Island architecture be continued at Meeting House Place and taken to the next step. New styles of architecture and landscape that capture the spirit of the historical examples while meeting the needs of today will be encouraged.

3. Maintain a Sense of Community

Owners at Meeting House Place are responsible for creating homes that balance privacy with a sense of community. An individual’s privacy should be a strong consideration in design whether it is the Owner’s privacy or the neighboring property’s privacy. These private environments however, should also provide the opportunity to connect back to the community at large. Landscape screening shall be maintained for existing planting or newly indigenous plantings between homes to screen individual homes from view. Preference is given to Pitch Pine species to promote the habitat of the Imperial moth.

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Character and Identity continued...

Linking the private realm to the public realm with semi-public space is encouraged. These semi-public spaces are transition spaces such as screened or non-screened porches or patios, terraces or “outdoor features.” These spaces provide wonderful design opportunities that enhance the architecture. Additionally, they extend the livability of the residence and promote friendly, casual interaction with neighbors.

These semi-public spaces afford the opportunity to connect back to the community at large and provide a sense of belonging to something bigger than one’s own domain. This concept is reinforced by a site plan that contains open space and elements for the shared use of all residents. Existing trails and new bike trails and walking trails also bring residents and neighbors together with one another and the community at large creating interactions and strands that bind the residents and community to one another. Shared spaces provide physical or visual connections where neighborhood interaction takes place and is key to fostering a sense of belonging.

G- Energy/Sustainability

The applicant will include in the covenants for the property that all homes constructed in the subdivision **use environmentally sound practices to maximize energy efficiency** and that all buildings must be designed and constructed to **meet or exceed Energy Star 3.1 Certification as allowed and defined in the Massachusetts Residential Code**. This energy code implementation will significantly limit energy consumption and provide energy sustainable efficient homes. This includes LED lighting, high efficiency heating systems, low flow water fixtures, energy star rated appliances, high “R” value ceiling insulation requirements, high “R” value wall insulation requirements, foundation insulation systems, double or triple pane window systems, low “E” glass requirements for all windows and energy star rated doors. Use of some solar in limited discrete applicable areas only as approved by the **Architectural Control Committee**.

Homes will utilize environmentally sensitive materials including locally sourced woods, naturally occurring products, recycled content material, low VOC and low odor paints and stains to minimize the environmental impact. Importantly, all homes will require commissioning by a certified rater to confirm they have been constructed to meet the Energy Star 3.1 Certification requirements.

Each home lot will be required to implement **sustainable landscape practices** including pervious driveways to allow for rainwater infiltration and the use of native, **low maintenance drought tolerant plant materials to minimize irrigation requirements**. The installation of pitch pine will be strongly encouraged to improve and sustain the Imperial Moth habitat. **Regional Clean Water Guidelines for Fertilization will be a required** reference for homeowner’s guidance. Weather based irrigation systems and timers which minimize energy and irrigation water consumption as well as leaching will be required.

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H- Traffic Analysis and Reports

A comprehensive traffic study, as per MVC policy, along with two (2) requested supplemental updates have been submitted to the Commission. The study is based on 2024 traffic projections and includes growth over seven years and impacts from the Stop & Shop expansion. The applicant has met with staff obtaining consensus on methodology and traffic counts. **Notably: Traffic impacts are minimal for residential traffic entering and exiting the subdivision. There are NO significant or appreciable delays identified within the traffic reports and studies.**

Applicant has submitted a supplemental alternative trip distribution for the site traffic with updated capacity and queue analysis based on this alternative distribution to address the following:

1. Comments made by the public at the MVC meeting suggested that more traffic from the site will be going to points east and south via Meshacket Road and Meeting House way to get to Town and the beach.
2. Meeting House Way has been paved and the utility poles have been removed and reset out of the roadway and to the side of the road since the traffic counts and submission of the Updated Traffic Impact and Access Study.

Because the subdivision has two exits, which is an advantage to mitigate traffic, applicant has submitted the alternative trip distribution plan to more accurately depict the current conditions. The alternative trip distribution assumes 50% of traffic entering and exiting from each entrance.

The results indicate that based on the alternative trip distribution plan, which is made better by the property providing two points of egress including the recently improved Meeting House Way, **the traffic impact is even more negligible based on a more even distribution from the two entrances of the property.**

I- Archeological and Historical Study

An archeological study of the property has been completed and there are no impacts to the property. The study has been submitted to the MVC. Confirmation from the Massachusetts Historical Commission has also been submitted to the MVC. **Importantly, there are no impacts to the property and no history or evidence of any archaeological impacts.**

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J- Existing trail from Meshacket Road to Meeting House Way

Enjoyment of existing trail systems is an extremely important component of the Island way of life. The applicant **will not block or restrict or inhibit in any way the path running from Meshacket Road to Meeting House Way** on the easterly side of the property for pedestrian, equestrian or non-motorized bicycle use by the public. The **applicant has offered to contribute a public easement at the existing trail location to benefit the public.**

K- New bike trail and bus stop trail easement along Meshacket Road

To address traffic concerns and the improved safety for bicycles in the area, the **applicant has offered to provide a new bike path easement to the Town of Edgartown along Meshacket road frontage to connect to same on either side of the applicant property.** Additionally, the **applicant will provide within the easement a provision for a bus stop.** The easement area is a benefit offered by the applicant to the public along Meshacket Road for a future bike path, sidewalk or bus stop location as determined by the Town of Edgartown. This encourages homeowner use of bikes helping to reduce the carbon footprint of all Martha's Vineyards residents. Additionally, the applicant will provide safety signage and markings identifying bike path lanes on Meshacket for the safety and as a benefit of the public. To enhance sense of community and to help reduce traffic the applicant encourages all land owners to the east and the west along the length of Meshacket to also contribute a bike path easement as well as safety signage and markings.

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L- Property Covenants, Conditions and Restrictions

The Covenants, Conditions and Restrictions for the property will be recorded with the Dukes County Registry of Deeds and enforceable against all lots. They will be strictly enforced with fines and levies for violation to be enforced and administered by the subdivision HOA Architectural Control Board. The HOA has the power of enforcement to levy fines, liens and foreclosure. The HOA must carry E&O insurance (errors and omissions) for its actions or in-action. The HOA will levy a monthly fee to all homeowners of approximately \$185 initially as dues in order to maintain the roads, common area, landscaping, pay for biologist reports and general enforcement of the restrictive covenants.

Covenants will include the following provisions:

1. Upon any sale subsequent to the original sale from the developer, the seller and buyer will pay a fee, split equally, of **one-percent (1.00%) of the sale price to the Dukes County Regional Housing Authority or a similar agency** as determined by the Martha's Vineyard Commission.
2. There will be **strict architectural guidelines** including a maximum house size of 4,800 S.F of Living Space plus a garage. "Living Space" is defined as the inside perimeter of above ground, conditioned space that are suitable for year-round use. The Development Envelopes average less than one half acre in size or approximately 19,800 S.F.
3. There will be **no freestanding guest houses** allowed. At least two car garages are required for each home facing away from the street. If a garage is detached, a 400 S.F. "detached bedroom" in conformance with the Town of Edgartown Zoning will be allowed. Garage can be attached or detached.
4. All homes constructed in the subdivision will be **required to use environmentally sound practices to maximize energy efficiency and all buildings must be designed and constructed per Energy Star 3.1 and the Massachusetts Residential Code**. Material shall be environmentally sensitive materials with low emissions rating release components.
5. All exterior lighting will include a **"dark sky" restriction policy**.
6. All new **landscaping will utilize native low maintenance, low water/nitrogen, drought tolerant species that are non-invasive** to minimize the application of nitrogen, pesticides and water.

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Property Covenants, Conditions and Restrictions continued...

7. All fertilizer will be reduced nitrogen, slow release, limited to 3.0 lbs. total nitrogen per 1,000 S.F. per year and in compliance with the approved fertilizer regulations in Edgartown and the Nitrogen Management Plan submitted to the MVC. (Applicant has proposed a betterment of limiting the above to 2.0 lbs. for lawns and 1.5 lbs. for shrubs respectively.) **A licensed and certified landscape contractor will be required for landscape maintenance to comply with covenants.**
8. All homes that desire to **use outdoor irrigation will install a well for irrigation system** (this will save 3.2 million gallons of potable water from the town water system). No municipal water may be used for landscaping.
9. There will **not be any direct access off Division Road** to the individual lots. All access will be from the interior subdivision roads.
10. All **areas outside of the Development Envelopes will be "no cut" areas** other than maintenance as required by NHESP for habitat enhancement for endangered species and any common paths installed by the applicant.
11. There **will not be any perimeter fencing allowed along the lot lines**. Upon request to the homeowner's association, a property owner can request fencing within the development envelope if said fencing will be wildlife compatible and as required by the building code.
12. The property **covenants will include strictly enforced construction provisions and restrictions as to Construction Management best practices** including Erosion and Sediment Control as well as Solid Waste and Air Pollution Control regulations.
13. During peak visitor season, **construction activity will have no access or limited access to the site**. Working hours shall be limited to daylight hours with no outdoor work activities occurring before sunrise and after sunset.
14. **Strict noise restrictions** shall be included in the property covenants for all residents and all construction activity. Designated and maintained wash off areas for construction traffic shall be required to prevent dirt or gravel from entering town roads.

Meeting House Place Comprehensive Project Description

Property Covenants, Conditions and Restrictions continued...

15. **Full architectural reviews** and approval by licensed architect and HOA Architectural Control Board (ACC) will be strictly enforced with fines and penalties.
- a. All homes and improvements will be consistent with and will comply with the stated Architectural vision of “island style” traditional New England **home architecture and sustainable design principles**.
 - b. All homes will utilize **sustainable design principles to blend with the natural surroundings to maintain a sense of community** with emphasis towards the environment.
 - c. Additionally, **garages shall not face the roadway**, shutters shall be traditional wood, stucco or similar exterior wall applications shall not be permitted, **height limits will be imposed**, home massing shall **comply with HOA Architectural Guidelines** established by the Architectural Control Board, building size and setback will be required, **no metal roofs** will be allowed, **bright colors will be strictly prohibited**, uniform mailboxes will be required, **only gravel or pervious paver driveways will be permitted**, **no on street parking** will be allowed, no satellite dishes will be visible from the roadway and **no permanent RV parking** will be allowed.
16. Other provisions will include:
- a. The **HOA will strictly enforce deed overlay easement and required to hire a qualified biologist, engineering firm** or qualified Land Trust to inspect and report condition of easement every other year with strict HOA enforcement provisions.
 - b. A **maintenance plan and budget** for maintenance of subdivision entrances, roadways and common space will be enforced.
 - c. All **homes and any improvements shall seek ACC review** and approval prior to any work commencement.