



## ISLAND HOUSING TRUST

A community land trust for Martha's Vineyard

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TO: MARTHA'S VINEYARD COMMISSION  
FROM: JOHN EARLY, JOHN G. EARLY CONTRACTOR & BUILDER, INC.  
PHILIPPE JORDI, ISLAND HOUSING TRUST CORPORATION  
DATE: March 13, 2008 (revision of 3/4/08 submission)  
RE: BRADLEY SQUARE DRI #612 APPLICATION

Dear Commissioners,

This is a Development of Regional Impact (DRI) application for approval of the Bradley Square project. We look forward to collaborating with you to make this the best project it can be, and an exemplary addition to Oak Bluffs' Art District.

1. DRI APPLICATION FORM  
See attached form.

2. LIST OF ABUTTERS  
List of abutting property owners within 300 feet of boundaries of the development site. See attached list.

3. APPLICATION FEE  
The Island Housing Trust is a non-profit organization whose purpose is the development of affordable housing and will pay the required application fee as determined by the MV Commission.

4. PLANS OF EXISTING SITUATION AND PROPOSED DEVELOPMENT  
See attached plans, including:

- Five complete sets of plans on 11"x17" sheets.
- Complete set of digital plans.
- One large-scale plan on 24"x 36" sheets

5. DESCRIPTION OF PROPOSED DEVELOPMENT AND SUMMARY OF IMPACTS

PROJECT DESCRIPTION:

1. CONTEXT

Background:

In the summer of 2007 a property in the heart of the Oak Bluffs' Art District on the corner of Dukes County Avenue and Masonic Avenue was purchased by the Island Affordable Housing Fund for the purpose of creating Bradley Square that will preserve the historic Bradley Memorial Church, Martha's Vineyard's first African American, and create needed housing and studio space that is affordable to working island residents and artists. See attached deeds.

Owner & Applicant:

Island Affordable Housing Fund has entered into a contract to sell the property to the Island Housing Trust for the purpose of developing Bradley Square. See attached purchase and sale agreement and letter from the Island Affordable Housing Fund. The Island Housing Trust has hired Hutker Architect as its architect, Kristen Reimann as its landscape architect, Sourati Engineering Group as its engineer/ surveyor, Charlie Crevo as its traffic engineer, and John Early Construction as its general contractor.

Design Committee:

The Bradley Square Design Committee and Hutker Architect has been involved in a design process over the past five months with various town departments, boards and commissions (Planning Board, Waste Water Commission, Department of Public Works, Building Department, Police Department, Parking and Traffic Committee) and the general public. The design committee is made-up of many community members and town officials including: David Wilson (Oak Bluffs Historic Commission), Alison Shaw and Holly Alaimo (Oak Bluffs Arts District), Linsey Lee (MV Museum), Marla Blakey (artist), James Westervelt (Oak Bluff Affordable Housing Committee), Ron DiOrio (Oak Bluffs Board of Selectmen), Laurie Perry-Henry (NAACP), Norman Hall and Pat Manning (Island Affordable Housing Fund), Andre Mallegol (Habitat for Humanity), John Abrams and Philippe Jordi (Island Housing Trust), Matt Cramer and Phil Regan (Hutker Architects), and John Early (John Early Construction). An advertised and well attended public meeting was held on December 10, 2007 where interested artists, neighbors and town officials were presented the plans for Bradley Square and given an opportunity to ask questions.

Program:

Bradley Square program consists of moving the existing Denniston building, formerly the Bradley Memorial Church, approximately 70 feet to the east onto a new foundation with a full basement, renovating the first floor sanctuary into a multi-use cultural center, and renovating the back of first floor into an office and public restroom. The second floor of the Denniston building will be renovated into two affordable residential units. A full basement in the Denniston building will include a second public restroom, room for a commercial kitchen that will be designed but not built, and storage space for the cultural center, office, and the two residential units. On the side of the Denniston building will be a small community green.

Two identical buildings, Bradley I fronting Dukes County Avenue and Bradley II fronting Masonic Avenue, will be constructed each including two affordable live/work artist units on the ground floor, two affordable residential units on the

second floor, and one residential unit on the third floor. Full basements in both Bradley buildings will include storage space for each of the residential units and artist live/work units.

Sidewalks will front the entire property along Dukes County Avenue and Masonic Avenue to be constructed by the Town of Oak Bluffs. A driveway constructed of pervious material will provide circulation behind the buildings. Off-street and on-street parking will serve each of the residential units and the office, as well as one handicap parking for the cultural center.

#### Leasehold Condominium Association:

The Island Housing Trust will sell the cultural center, office, four artist live/work units, and eight residential units as condominiums and will ground lease the land to the leasehold condominium association. The master ground lease will include permanent affordability restrictions for ten of the twelve residential units, and resale restrictions for the cultural center and office. The membership of the Condominium Association will consist of the owners of the four artist live/work units, the eight residential units, the cultural center, and the office. The Bradley Square Leasehold Condominium Association's Master Deed and Declaration of Trust will govern the use and maintenance of the property and the condominium units, including the artist live/work units, cultural center, and office. Some of the areas addressed by these documents will be board of trustees (selection, powers, responsibilities); ownership and management of common areas; master insurance policy; assessments (+/- \$100/ per month per unit); permitted uses (residential only, business limited to artist live/work units, cultural center and office); maintenance and repair (historic preservation of Dennison building exterior and cultural center), use of parking areas (assigned), and oversight and authority of the Island Housing Trust as landowner and lessor. See attached overview of ground lease restrictions.<sup>1</sup> The Master ground lease and condominium forms are available upon request.

#### Affordability and Public Use:

The Island Housing Trust's master ground lease with the Bradley Square Leasehold Condominium Association will ensure permanent affordability of income restricted residential and artist live/work units, as well as continued ownership of the cultural center and office by either a non-profit or municipal entity for public and private use. Six of the residential units and all four art live/work units will be sold for between \$150,000 and \$320,000 to income eligible applicants earning no more than 80% to 140% of the median income (see Affordability Mitigation for detailed schedule).<sup>2</sup> The homebuyer selection criteria and application process will be done in consultation with the Oak Bluffs Affordable Housing Committee and the Oak Bluffs Art District; and the Dukes County Regional Housing Authority will conduct the application verification process.

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<sup>1</sup> LUPC 3-10-08 information request

<sup>2</sup> LUPC 3-10-08 information request

Schedule:

The Design Committee hopes to have the permitting process completed by the spring of 2008, begin construction in the summer of 2008, and be completed and sold by the fall of 2009. The construction schedule is anticipated to begin by the middle of the summer of 2008 with the move of the existing Denniston building onto a new foundation; followed by foundations, framing, and exterior finishes for the two new Bradley buildings during the fall and winter of 2008; renovation of the Denniston building during the winter and spring of 2009, and interior finish work and landscaping for all three buildings during the spring and summer of 2009. See attached preliminary construction schedule.<sup>3</sup>

## 2. SITE

Property:

The property is located on a 0.14-acre commercial lot on the corner at 97 Dukes County Avenue (Map 11 Lot 195) and a 0.29-acre residential lot at 8 Masonic Avenue (Map 11 Lot 193) in Oak Bluffs. The residential lot has a pre-existing 2,777 sq. ft. structure with historical significance (cir. 1892). The historic Bradley Memorial Church was built as a mission and served as Martha's Vineyard's first African American church.

Existing Conditions:

The Dukes County Avenue lot is an undeveloped lot. The Masonic Avenue lot has a pre-existing 2,777 sq. ft. structure with historical significance (cir. 1892). See attached Massachusetts Historical Commission letter.

Subdivision:

The Oak Bluffs Planning Board subdivided the property into three lots on February 13, 2008 to allow one building per lot. See attached subdivision plan. A "limited common area" serving cultural center of approximately 1,400 SF will be provided within the Leasehold Condominium Association's Master Deed.

Zoning:

The Denniston building will be within the residential district (R-1). The two Bradley buildings will be located within the business district (B-1) and approximately 10 feet of one of the Bradley buildings will be within the residential district (R-1). Either special permits or a comprehensive (Ch. 40B) permit will be used by the Oak Bluffs Zoning Board of Appeals to: 1) allow the conversion of the Denniston building into a multi-family residence, 2) allow the B-1 district regulations to be extended as much as 30 feet, 3) allow the Denniston building to be located within the 20 foot setback from Masonic Avenue, and 4) reduce the on-site parking requirements for the cultural center. All three buildings meet zoning requirements (height and setback), other than the Denniston building that will be approximately 9 feet within the 20 foot setback from Masonic Avenue. The current location of the Denniston building is approximately 18 feet within the setback from Masonic Avenue. See Section 7 - Conformity with Zoning for more detailed description.

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<sup>3</sup> LUPC 3-10-08 information request

### 3. ACCESS, TRAFFIC AND TRANSPORTATION

#### Access:

The Bradley Square property is located in the heart of Oak Bluffs' Art District and is accessible by foot or bike from downtown Oak Bluffs and by public transportation from any of the island's six towns. The Denniston building fronts Masonic Avenue. The Bradley I building will front Dukes County Avenue and the Bradley II building will front Masonic Avenue.

#### Sidewalks:

The Town of Oak Bluffs Department of Public Works is scheduled to install a sidewalk along the entire front of the property on Dukes County Avenue and Masonic Avenue either this fall or next spring. The site plan shows the recommended sidewalk plan.

#### Traffic & Parking:

Eight off-street and five on-street parking spaces serving each of the four artist live/work units, eight residential units and the office are provided in the plan, along with one handicap parking space for the cultural center. The Bradley Square project is actively participating in a planning process to address the larger traffic circulation and parking issues of the Oak Bluffs' Art District being lead by the Town of Oak Bluffs Traffic and Parking Committee. The Oak Bluffs Board of Selectmen have commissioned a parking and traffic study be conducted for the entire Dukes County Avenue. The Town of Oak Bluffs will be implementing an off-site parking and a bus shuttle that will service Dukes County Avenue and Circuit Avenue during the summer months (June – September) starting in June 2008. During the off-season when the town shuttle services are not available (October – May), larger events or functions at the cultural center will be required to provide off-site parking with shuttle buses. In addition, a special permit will be requested from the Oak Bluffs Planning Board to pay annually towards the town's parking mitigation fund.

#### Transportation:

The Vineyard Transit Authority provides year-round public transportation that services the Bradley Square property along Circuit Avenue approximately 100 feet away from the property. The Town of Oak Bluffs will be implementing an off-site parking and a bus shuttle that will service Dukes County Avenue and Circuit Avenue during the summer months (June – September) starting in June 2008. Ferry transportation during the summer months to either Hyannis or Woods Hole is within walking distance.

### 4. BUILDINGS AND STRUCTURES

#### Denniston Building

Total dimensions (including porches, stairs & landings):

- Total: 3,332 SF (existing 2,777 SF)
- Footprint: 1,835 SF (existing 1,589 SF) <sup>4</sup>

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<sup>4</sup> LUPC 3-10-08 information request

- Height: 31'-9"

The cultural center will consist of:

- 788 SF room that was the original sanctuary of the Denniston Church/ Mission,
- Preserving, restoring, or historically replicating the treatments within the room with the assistance of the Massachusetts Historical Commission and the Oak Bluffs Historical Commission;
- Handicapped accessible parking, ramp, and restroom on the first floor;
- Dedicated area for commercial kitchen in basement (designed but not built).
- Second public restroom in the basement.
- Dedicated area for storage & archive in basement for the cultural center, office, and two residential units.
- +/-1,400 SF exterior limited common area.

The office will consist of:

- 209 SF room with access to the cultural center and a total of three forms of egress including a door to the exterior of the building.
- One restroom.
- One shared handicap parking space.

The two residential units will consist of

- 566 SF one-bedroom one-bath unit;
- 901 SF two-bedroom one-bath unit;
- Maximized energy efficiency achieving an Energy Star Plus rating (50% or greater energy efficiency than code).
- Two interior stairs serving both residential units.
- Dedicated storage area in basement for each residential unit.
- One off-street or on-street parking space for each residential unit.
- Share common areas surrounding the building.

#### Bradley I & II Buildings:

Total dimensions of each building (including porches, stairs & landings):

- Total: 5,108 SF
- Footprint: 2,067 SF<sup>5</sup>
- Height: 31'-7"

Both Bradley buildings will consist of:

- Two identical 913 SF artist live/work units on the ground floor with an open floor plan that allows residents to create and display their art while also living within the same space.
- Two identical 626 SF one-bedroom one-bath residential units on the second floor.
- One 1,004 SF two-bedroom one-bath residential unit on the third floor.
- Maximized energy efficiency achieving an Energy Star Plus rating (50% or greater energy efficiency than code).
- Two interior stairs serving both residential units.
- Dedicated storage area in basement for each residential unit.
- One parking space for each residential unit.
- Share common areas surrounding the two buildings.

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<sup>5</sup> LUPC 3-10-08 information request

### Green Building

The Bradley Square project is using the Green Building Practices developed by Island Housing Trust to guide its design and development. The project will achieve an Energy Star Plus rating by investing in higher quality insulation (cellulose or foam), higher performance insulated windows, airtight construction, and higher energy efficient boilers and appliances. The higher Energy Star rating, certified by a third-party inspector funded by Energy Star, will result in 50% or greater energy efficiency than required by current building codes. Although the project will very likely achieve a LEED-H standard, the project will not secure LEED-H certification due to the high cost of certification (approximately \$6,000+). LEED-H certification is not currently required by local or state regulations. A solar energy analysis of the project has determined that it is not technically feasible to install solar electric panels due to the limited south facing roof area on the three buildings. The project has determined that geothermal technology would not be financially feasible due to a lack of state grant funding.<sup>6</sup>

### 5. LANDSCAPING

The Bradley Square project has hired a professional landscape architect, Kristen Reimann, to develop a landscaping plan for the property. The existing trees have been mapped and surveyed by an arborist including approximately twenty-eight larger specimen trees (Black Oak) in various conditions from poor (42%), fair (38%), and good (20%).<sup>7</sup> See attached Tree Inventory. Some of the better trees (fair & good condition) will be retained including seven larger specimen trees. Three large specimen trees will also be planted.

### 6. INFRASTRUCTURE

Town water and sewer will serve the development. The Oak Bluffs Waste Water Commission approved hooking up the Bradley Square development to the town sewer located along Dukes County Avenue at their December 19, 2007 meeting.

### 7. LIGHTING AND SIGNAGE

The exterior lighting is designed to provide only enough lighting for safety and convenience and is designed to have as little neighborhood impact as possible. Path lighting is low down and ground lighting. Light at buildings is soft and muted. At each door there is a low glare wall sconce. Signage for the four artist live/work units in the two Bradley buildings and the cultural center and office in the Denniston building will be limited to the dimensional requirements of the B-1 and R-1 districts.

## PROJECT IMPACTS

### 1. IMPACTS ON THE ENVIRONMENT

#### Wastewater and Groundwater

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<sup>6</sup> LUPC 3-10-08 information request

<sup>7</sup> LUPC 3-10-08 information request

Solid waste and water consumption from the Bradley Square development will cause a minute increase in the amount of solid waste treated and water supplied by the Town of Oak Bluffs.

#### Open space

There will be approximately a 1,400 SF community open space that will be created between the Denniston building and the Bradley II building facing Masonic Avenue that will be managed by Condominium Association and accessible to the public during functions related to the cultural center.

#### Natural Community and Habitat

The trees on the site have been mapped and surveyed by an arborist including approximately twenty-eight larger specimen trees (Black Oak) in various conditions from poor (42%), fair (38%), and good (20%).<sup>8</sup> See attached Tree Inventory. Some of the better trees (fair & good condition) will be retained including seven larger specimen trees. Three large specimen trees will also be planted.

#### Night Lighting and Noise

The exterior lighting is designed to provide only enough lighting for safety and convenience and is designed to have as little neighborhood impact as possible. Path lighting is low down and ground lighting. Light at buildings is soft and muted. At each door there is a low glare wall sconce. Noise generated from the development will be limited to typical residential activities, with the exception of art openings and cultural center functions during the summer months when doors and windows are opened.

## 2. IMPACTS ON PERSONS AND PROPERTY

#### Traffic and Transportation:

The Bradley Square project has hired a professional traffic engineer, Charlie Crevo, to complete the DRI Traffic and Access Study for the proposed project based on the Commission's draft traffic scope for Bradley Square.

#### Scenic Values:

The Bradley Square Design Committee in association with Hutker Architects have spent the last six months working on a design that restores the existing historic Denniston building, constructs two new buildings, and retains a quarter of the existing trees on-site; in a very deliberate effort to integrate the Bradley Square proposal within the existing neighborhood streetscape that hopes to serve as an anchor for the Art District.

#### Character and Identity:

Preserving the character and identity of the former Bradley Memorial Church, along with creating needed affordable artist live/work and residential housing for island residents is at the core of the Bradley Square project. The project's

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<sup>8</sup> LUPC 3-10-08 information request



community based design process has preserved the important historic character and identity of the Bradley Memorial Church and the surrounding Art District neighborhood within the project's plan to renovate the Denniston building and construct the two new Bradley buildings.

#### Impact on Abutters:

##### Public Input:

The Bradley Square Design Committee has received input from abutters and the general public at ten of its committee meetings held between September 2007 and February 2009 that were posted and open to the public, as well as one general public meeting held on December 10, 2008 that was advertised in the local newspaper and notices mailed to abutters within 150 feet of the property. Based on comments received from abutters and neighbors of the Bradley Square property, the major impact of the project will consist of the traffic and parking, as well as noise and visual change resulting from eight new residential units, four artist live/ workspaces, a cultural center and office located within three buildings on the property that is now vacant expect for a uninhabited building.

##### Traffic & Parking:

Mitigation for the traffic and parking consist of: 1) eight off-street and six on-street parking spaces for the property's residents and office, 2) a handicap parking space for the cultural center and office, 3) town off-site parking and shuttle buses that will serve Dukes County Avenue during the summer season (June-September) and a requirement that larger cultural center events and functions provide off-site parking and shuttle bus during the off-season (October-May), 4) annual payments to the town's parking mitigation fund, and 5) collaboration with the Town of Oak Bluffs' efforts to develop a parking and traffic plan for Dukes County Avenue that will address traffic circulation and on-street parking issues.

##### Nuisances:

The noise and visual impact will be address by building a six-foot wooden fence along the property boundary to provide a visual and noise buffer from the abutting properties along Circuit Avenue and Warwick Avenues. The condominium rules and regulations will restrict the commercial use of the four artist live/work units, the cultural center and the office.

The construction schedule is anticipated to begin by the middle of the summer of 2008 with the move of the existing Denniston building onto a new foundation; followed by foundations, framing, and exterior finishes for the two new Bradley buildings during the fall and winter of 2008; renovation of the Denniston building during the winter and spring of 2009, and interior finish work and landscaping for all three buildings during the spring and summer of 2009. See attached preliminary construction schedule.<sup>9</sup>

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<sup>9</sup> LUPC 3-10-08 information request

The commercial operations of the artist live/work condominiums will be consistent with the surrounding Art District's commercial hours of operation consisting of approximately 35 hrs. per week/ 5 months of the year (i.e. May – September Wednesday - Sunday from noon until 7 PM, openings during July & August every other Saturday from 4PM until 7PM and occasional openings in June, September and October, and three art strolls on July 12<sup>th</sup>, August 9<sup>th</sup>, and September 20<sup>th</sup>).<sup>10</sup>

The cultural center will be owned and operated by either a non-profit organization or municipality who will rent the 788 SF space for appropriately sized public and private functions (maximum 87 persons). Handicapped parking, access and restrooms will be provided. The hours of operation, types of functions, frequency of events, and rental policies of the cultural center will be consistent with similar venues owned and operated by the Martha's Vineyard Preservation Trust, including neighborhood art openings, meetings, classes, and small theatrical productions and poetry readings; that can be rented by the meeting or class, for a specific amount of hours, or by the day. See attached MV Preservation Trust rental policies as an example. Similar venues managed by the MV Preservation Trust (i.e. Baylies Room below the Whaling Church in Edgartown) are available seven days a week from 8 AM to 9:30PM but typically are only rented 20 to 40 hrs per week. The 209 SF office space will be owned by the NAACP for their organization's use with typical hours of operation (i.e. 9AM – 5PM/ 5 days a week) and will include its own restroom.<sup>11</sup>

### 3. IMPACT ON THE SUPPLY OF NEEDED LOW AND MODERATE-INCOME HOUSING

The critical need to address affordable housing in Oak Bluffs and throughout entire Island is at the core of this private/ public partnership with the Town of Oak Bluffs that will create six affordable residential condominiums and four affordable artist live/work condominiums to be sold for between \$150,000 and \$320,000 to income eligible individuals or families earning no more than 80%, 100%, 120% and 140% of the median income. See Affordable Housing Mitigation for detailed schedule. The Town of Oak Bluffs Community Preservation Committee has recommended \$400,000 in town funding and the Island Affordable Housing Fund has pledged as much as \$1,700,000 in private grants for the project. Two residential units, one in each of the two Bradley buildings will be sold at market rate to help defray some of the development costs. The homebuyer selection criteria and application process will be done in consultation with the Oak Bluffs Affordable Housing Committee and the Oak Bluffs Art District, and the Dukes County Regional Housing Authority will conduct the application verification process.

### 4. IMPACT ON MUNICIPAL SERVICES AND BURDEN ON TAXPAYERS

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<sup>10</sup> LUPC 3-10-08 information request

<sup>11</sup> LUPC 3-10-08 information request

This is primarily dependent on the number of children residing in the condominiums, however 75% or nine of the residential units, including four artist live/work condominiums and five one-bedroom residential condominiums, will likely be limited to working couples or individuals while the three two-bedroom condominiums might include a small family with a child. Fire, police, etc. will increase minutely. Based on the estimated sale prices for the twelve residential units, the cultural center, and the office, the estimated annual tax revenues to the town based on 2006 residential tax rate for the property would total approximately \$19,722.<sup>12</sup>

#### 5. EFFICIENT USE OR BURDENING OF OTHER PUBLIC FACILITIES

The Bradley Square development will cause a minute increase in the amount of water supplied by the Oak Bluffs Water District and in the amount of septage that will be treated by the Oak Bluffs Waste Water District.

#### 6. CONSISTENCY WITH AND ABILITY TO ACHIEVE TOWN, REGIONAL, STATE PLANS & OBJECTIVES

The Bradley Square proposal is consistent with town, regional, and state smart growth plans and objectives including the Oak Bluffs Community Development Plan, the Island's Housing Needs Analysis, the Martha's Vineyard Commission's Energy Policy, and Commonwealth's Sustainable Development Principles.

The Bradley Square proposal addresses many of the smart growth principles identified in the July 2004 *Oak Bluffs Community Development Plan* of building new housing in or near already existing neighborhoods where the physical and social infrastructure already exists, including:

- Business Growth: desire to maintain existing physical characteristics with greater emphasis placed on cleaning up all areas of town;
- Preservation of Town Values: keeping small-town lifestyle by preserving existing cultural and historic resources and encourage rehabilitation of aging dwellings particularly for affordable housing;
- Parking & Traffic: reducing congestion in town through park n' ride system and residential parking system.

The Housing Suitability Analysis of the plan rated the Bradley Square property as "most suitable" within the Town of Oak Bluffs (only 14% of town land area) based on the following criteria: location in or near already existing neighborhoods, location of new housing close to village centers with access to services, and serviced by existing municipal water and sewer infrastructure.

The Bradley Square proposal also addresses the affordable housing needs throughout Martha's Vineyard and specifically in Oak Bluffs as documented in the 2001 and updated in 2005 *Preserving Community: An Island-wide Housing Needs Assessment* commissioned by the Island Affordable Housing Fund. According to the report, of the approximately 105 Oak Bluffs residents renting in 2001 who qualify for first-time homeownership 76 or 72% could not afford to purchase from the market. According to the updated 2005 report the

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<sup>12</sup> LUPC 3-10-08 information request

escalating real estate market has only worsened as the baby boomer population reaches its maximum earning potential and approaches retirement age, making the need for affordable housing that much greater for the families living and working in Oak Bluffs and throughout Martha's Vineyard. The report concludes that the challenge of securing affordable housing on the island is quickly becoming insurmountable for a growing segment of the population, including a majority of those who grew up here, many skilled and well paid workers, and older households of moderate income. The report recommends the creation of a pool of 500 permanently affordable houses throughout the island over the next decade, equally divided between rental and ownership housing. The Town of Oak Bluffs' Community Development Plan developed in 2004 states that Oak Bluffs has only 3.16% of its year round housing stock that qualifies for the state's Chapter 40B Subsidized Housing Inventory (mainly consisting of elderly rental housing) and anticipates the production of 4 affordable houses annually.

The Bradley Square proposal is also consistent with the *Martha's Vineyard Commission's Energy Policy* that speaks to promoting a sustainable approach to the Island's energy needs through energy efficiency, conservation and improved management and distribution of energy resources.

Finally, The following principles outlined in the *Commonwealth's Sustainability Development Principles* are achieved through the Bradley Square proposal, including:

1. Concentrate Development and Mixed Uses – Support the revitalization of town centers and neighborhoods by promoting pedestrian friendly development that is compact, conserves land, protect historic resources, and integrates commercial, civic, cultural, educational, and recreational activities with open space and homes.
2. Expand Housing Opportunities – Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types, in particular multi-family homes, in a way that is compatible with a community's character and vision.
3. Increase Job and Business Opportunities – Attract businesses and jobs to locations near housing, infrastructure, and transportation options.
4. Promoting Clean Energy- Maximize energy efficiency and renewable energy opportunities.

## 7. CONFORMITY TO ZONING

The Bradley Square development conforms to the Oak Bluffs zoning by-laws with certain special permit allowances, however the project has also applied for a Comprehensive Permit (M.G.L. Ch. 40B) through the state Department of Housing and Community Development sponsored by the Oak Bluffs Board of Selectmen so that the Oak Bluffs Zoning Board of Appeals has the authority to review the proposal under either M.G.L. Ch. 40A or Ch. 40B. A comprehensive

permit under M.G.L Ch. 40B allows the Zoning Board of Appeals to waive any town zoning regulations, but not state regulations.<sup>13</sup>

#### Denniston Building

Oak Bluffs ZBA special permit under section 3.5.5 (Non-conforming Single and Two Family Residential Structure) would allow the existing Denniston building to be moved approximately 70 feet from its current location to its proposed location, and section 7.1.1 (Conversion to Duplex) would allow the conversion of the Denniston building into a multi-family dwelling. A variance would be required to allow the existing non-conforming 20-foot setback from Masonic Avenue to be maintained (although less than half of what currently exists), however the side and back setbacks would conform to section 3.5.5 setback requirements. A special permit (section 5.1.4) from the Planning Board will need to be secured to reducing the cultural center and office parking requirements based on off-site parking and shuttle bus servicing Dukes County Avenue during the summer months and a requirement that larger events at the cultural center during the off-season provide off-site parking and shuttle bus service. The cultural center and office, being owned and managed by a non-profit organization or municipality government, would qualify under the zoning regulations as an "exempt and institutional use" within the R-1 District.

#### Della Hardman Building

The B1 district allows residential and commercial uses, including multi-family dwellings with review by Planning Board, and art galleries or studios. Each residential unit must have a minimum of one off-street parking space. Depending on how the first floor live/work artist condominiums are viewed, a special permit (section 5.1.5) from the Planning Board will need to be secured in order to make annual payments to the town's parking mitigation fund. The purpose of this by-law is to increase the intensity of uses in the B-1 District where the development provides traffic and pedestrian improvements and other amenities. Commercial building codes also require a handicapped accessibility unit when building three or more units, sprinklers, and interior egresses.

### 8. CONFORMITY TO DCPC REGULATIONS

The Bradley Square property is not located within a DCPC.

### 6. TRAFFIC IMPACT ANALYSIS

The Bradley Square project has hired a professional traffic engineer, Charlie Crevo, to complete the DRI Traffic and Access Study for the proposed project based on the Commission's attached draft traffic scope for Bradley Square.

### 7. WATER RESOURCES IMPACT INFORMATION

The Bradley Square project consists of the following:

- Total lot area: 18,705 sq. ft. or 0.43 acres

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<sup>13</sup> LUPC 3-10-08 information request

- Building footprint and area of impervious surfaces for access and parking:
  - three buildings: 5,969 SF
  - sidewalks: 2,026 SF (782 SF is within road right-of-way)
- Storm water management system design – all storm water run-off will be managed on-site including guttered roofs into dry wells and retention of pervious surfaces (landscaping, gravel driveway & parking). See attached landscaping plan.<sup>14</sup>
- Residential units: 8 units with 11 bedrooms.
- Residential/ Commercial units: 4 artist live/ work units with 4 bedrooms.
- Exempted Use units: 788 sq. ft. cultural center and 209 sq. ft. office on the first floor of the Denniston building. All three building including the Denniston building will be tied into the Oak Bluffs sewer system. See attached engineering plan for waste disposal and minutes from the Oak Bluffs Waste Water District's December 19, 2007 meeting.

## 8. AFFORDABLE HOUSING MITIGATION

The Bradley Square project exceeds the Commission's Affordable Housing Policy by providing ten affordable ownership condominium units (83% of total units affordable) including six affordable residential condominiums and four affordable artist live/work condominiums to be sold to income eligible individuals or families, including:<sup>15</sup>

80% or less of median income:

- Studio @ \$145,000
- Studio @ \$145,000
- 1BR @ \$145,000

100% or less of median income:

- Studio @ \$190,000
- 1BR @ \$190,000

120% or less of median income:

- 1BR @ \$230,000
- 1BR @ \$230,000

140% or less of median income:

- Studio @ \$270,000
- 1BR @ \$270,000
- 2BR @ \$315,000

The cultural center is priced at \$200,000 and the office is priced at \$100,000. Two two-bedroom units, one in each of the Bradley buildings, will be sold at market rate to help defray some of the development costs. The homebuyer selection criteria and application process will be done in consultation with the Oak Bluffs Affordable Housing Committee and the Oak Bluffs Art District; and the Dukes County Regional Housing Authority will conduct the application verification process.

## 9 OTHER STUDIES OR INFORMATION

Other studies or information on the Bradley Square project will be provided upon request of the MV Commission and staff.

<sup>14</sup> LUPC 3-10-08 information request

<sup>15</sup> LUPC 3-10-08 information request