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## Minutes of the Commission Meeting Held on March 9, 2017

In the Stone Building  
33 New York Avenue, Oak Bluffs, MA

### IN ATTENDANCE

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Commissioners: (P= Present; A= Appointed; E= Elected)

P Gail Barmakian (A-Oak Bluffs)	- James Joyce (A-Edgartown)
P Tripp Barnes (E-Tisbury)	- Michael Kim (A-Governor)
- Yvonne Boyle (A-Governor)	P Joan Malkin (A-Chilmark)
P Christina Brown (E-Edgartown)	P Katherine Newman (A-Aquinnah)
- Peter Connell (A-Governor; non-voting)	P Ben Robinson (A-Tisbury)
P Robert Doyle (E-Chilmark)	P Doug Sederholm (E-West Tisbury)
P Josh Goldstein (E-Tisbury)	P Linda Sibley (E-West Tisbury)
P Fred Hancock (E-Oak Bluffs)	P Ernie Thomas (A-West Tisbury)
P Leonard Jason (A-County)	P Richard Toole (E-Oak Bluffs)
	- James Vercruysse (e-Aquinnah)

Staff: Adam Turner (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Christine Flynn (Economic Development and Affordable Housing Planner), Priscilla Leclerc (Senior Transportation Planner), Dan Doyle (Transportation Planner).

**Acting Chairman Robert Doyle** called the meeting to order at 7:00 p.m.

### 1. MASONIC HISTORICAL DEMOLITION-OAK BLUFFS DRI 651 WRITTEN DECISION

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Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.

**Christina Brown** suggested striking the language on line 39 "... the plans of the project...".

There was a discussion about the referral dates on lines 43 and 60.

- **Christina Brown** asked if the referral date on line 43 conflicts with the date on line 60.
- **Linda Sibley** stated that line 60 refers to an exhibit.
- **Christina Brown** and **Joan Malkin** suggested adding "The initial referral" at the beginning of the sentence.
- **Fred Hancock** suggested and it was agreed that staff was to review and correct the dates if needed.

**Christina Brown** suggested striking the word "following" on line 106.

**Adam Turner** suggested adding the list of correspondence to line 106.

**Joan Malkin** said that for line 176 the MVC is supposed to consider alternatives. They were considered and that line 176 should be expanded with the details.

**Joan Malkin** and **Fred Hancock** noted on line 178 the line should be deleted or the detail needs to be added.

**Fred Hancock** noted that lines 179, 181, 184 and 186 have conflicting language; is there no impact, minimal impact, neutral impact. The language should be consistent and suggested to use no impact. **Christina Brown** added that it also includes line 206.

**Fred Hancock** noted that under section 5. Conditions section 1.2 should be added. The MVC talked about sun setting the DRI with a plaque and that should be entered as section 1.2. He read the language and submitted it for the record, the DRI will cease to apply with the installation of the plaque provided that if any new item triggers the DRI Checklist it comes back to the Commission.

**Linda Sibley** asked what the language “should substantial demolition” on line 303 means and should substantial be deleted.

**Gail Barmakian** asked if the language in section 6.1 Permitting from the Town is the boiler plate language. **Linda Sibley** said it is.

**Linda Sibley moved and it was duly seconded to approve the Written Decision as corrected. Roll call vote. In favor: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole. Opposed: F. Hancock. Abstentions: none. The motion passed.**

## **2. MAYHEW SUBDIVISION-CHILMARK DRI 673 PUBLIC HEARING**

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*Doug Sederholm recused himself as he has represented the parties that were in negotiation with the applicant.*

*Joan Malkin noted that she is a member of the Chilmark Planning Board but she was not present when this was voted on.*

*Linda Sibley said that when she and Leonard Jason were on two different boards reviewing the same issue they spoke with the State Ethics Commission regarding it and it was deemed to be okay. Joan Malkin added that she had also spoken with the State Ethics Commission.*

*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, R. Toole.*

*For the Applicant: Doug Hoehn*

**Linda Sibley**, Public Hearing Officer opened the Public Hearing at 7:15 p.m. and read the Public Hearing Notice. The applicant is the Eileen S. Mayhew Revocable Trust 2000. The location is Middle Line Road, Chilmark, Map 13 Lot 42. The proposal is for a four lot subdivision (only 3 buildable) of fourteen acres. The Public Hearing process was reviewed.

### **2.1 Staff Report**

**Paul Foley** presented the following.

- The site was reviewed.
- The proposal is to create a four lot subdivision bank of fourteen acres with only three buildable lots and one 6.6 acre lot going to the Land Bank. The Land Bank would also have an easement along Middle Line Road.
- The property is vacant woodland. The property is primarily an oak forest with some pine.
- The property is mapped by NHESP as estimated priority habitat. The applicant has been working with NHESP and was signed off on that it will not result in a “take” of state listed species.
- The property is accessed from Tabor House Road to Middle Line Road in Chilmark.
- New construction requires nitrogen mitigation if any further construction is planned. A nitrogen removal septic system that removes the maximum amount of nitrogen should be installed.
- The applicant is giving land to the Land Bank.

- A letter was received from the Chilmark Planning Board noting its general support of the subdivision plan.

**Josh Goldstein** asked if the Land Bank has already agreed to the plan. **Paul Foley** said they had.

## **2.2 Applicants' Presentation**

**Doug Hoehn** presented the following.

- The property has been handed down from the Mayhew family.
- All members of the Revocable Trust have agreed.
- The Land Bank has made this project happen.
- The project is filed under the Flexible Zoning By-law in Chilmark.
- The Land Bank is receiving over 7 acres with the 6.6 acre lot and the trail lot at Middle Line Road.
- NHESP has signed off. And it provides a buffer.
- The land rises from the Southeast and the Northwest pretty dramatically.

## **2.3 Commissioners' Questions**

**Linda Sibley** asked if Chilmark protects stone walls. **Doug Hoehn** said they did.

**Joan Malkin** asked for clarification on the Land Bank agreement. **Doug Hoehn** said the Land Bank would not let the applicant go forward without a signed P & S agreement.

**Christina Brown** asked if the nitrogen load meets the MVC policy with three lots with a house and guest house. **Doug Hoehn** said the example in the MVC Staff Report almost mirrors this project so it does meet the policy.

**Adam Turner** said the MVC interim water policy with compromised watersheds gives you two ways to calculate nitrogen load. You can use advanced treatment or the standard calculation. The nitrogen loading limit for a compromised system must meet the nitrogen loading for the watershed or implement basic nitrogen reduction techniques, whichever is the less restrictive.

**Joan Malkin** said it looks like the trail land on the west is very close to the border of the upper most of the three buildable lots. What is the building envelope? **Doug Hoehn** said the building envelope on the third lot is 50 feet in from the west and the north property line per zoning and also how it was done with NHESP. The part that is protected is a no cut buffer.

**Christina Brown** asked if the building envelope is on record. **Doug Hoehn** said it is.

**Christina Brown** asked if the building envelope allows to build a building or development. **Doug Hoehn** said it is interchangeable because we are talking within NHESP.

**Linda Sibley** asked for clarification on the protected species. **Doug Hoehn** said it is moth species.

**Linda Sibley**, Public Hearing Officer closed the public hearing.

***Leonard Jason moved and it was duly seconded to approve the proposal as presented and bypass LUPC and go directly to Deliberation.***

- **Fred Hancock** noted that tonight the MVC has a very big agenda and the MVC should be sure all of the paperwork is in order, such as the nitrogen/wastewater.
- **Leonard Jason** said the MVC could spend several hours discussing what should be or we can vote.
- **Linda Sibley** suggested that due to the agenda the MVC can vote on the motion and if passed proceed with deliberation later.

***Voice vote. In favor: 12. Opposed : 1. Abstentions: 1. The motion passed.***

**Robert Doyle**, Acting Chairman noted that Deliberation will be done at the end of the meeting with time permitting.

### **3. DAMROTH SUBDIVISION-CHILMARK DRI 672 PUBLIC HEARING**

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*Doug Sederholm recused himself as he has done land use work for the applicant.*

*Joan Malkin noted that the project was a referral from the Chilmark Planning Board of which she sits but she was not present when it was before the Planning Board.*

Commissioners Present: *G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, L. Sibley, E. Thomas, R. Toole.*

For the Applicant: *Doug Hoehn, David Damroth*

**Linda Sibley**, Public Hearing Officer opened the public hearing at 7:45 p.m. and read the public hearing notice. The applicant is David A. Damroth. The location is Oyster Lane, Chilmark Map 1.1 Lots 54.4 and 54.5, 14.6 total acres. The proposal is for a four lot subdivision of 14.6 acres.

**David Damroth** stated that he may need Doug Sederholm's clarification during the meeting.

#### **3.1 Staff Report**

**Paul Foley** presented the following.

- The site was reviewed.
- The proposal is for a four lot subdivision of 14.6 acres.
  - Lot 4, 4.2 acres would be divided into:
    - 4A: 3.04 acres lot with an existing shop and tennis court. The applicant is proposing a four bedroom main house and a two bedroom guest house on this lot.
    - 4B: 1.06 acre "Youth Lot" with four bedrooms for a designated recipient.
  - Lot 5, 10.2 acres would be divided into:
    - 5A: 6.86 acre lot with an existing four bedroom house. The applicant is proposing to also have a two bedroom guest house on this lot.
    - 5B: 3.01 acre lot. The applicant is proposing a four bedroom main house and a two bedroom guest house on this lot.
- The property was originally a 28+/- acre lot bought in 1980. In 1987 the applicant subdivided the property into five lots (54.1-4. Acres, 54.2-4 acres, 54.3-4.8 acres, 54.4-14.2 acres and 54.5-10.2 acres). Lots 54.1, 54.2 and 54.3 have been sold. The current proposal is a re-subdivision of lots 54.4 and 54.5.
- Local permits are from the Planning Board. Future houses and guest houses would need Building Permits. A Special Permit is needed from the Board of Appeals for a Youth Lot.
- The 1987 subdivision plan was reviewed.
- The 2017 proposed plan was reviewed.
- The approved 1987 Subdivision plan includes an "additional note" that "Lot 5 shall not be divided into more than two buildable lots".
- The Covenants (Book 972 page 1005-1006) for the 1987 subdivision were written in 2003 before the conveyance of the first lot. The Covenants state that only Lot #5 could have a guest house. They also state that Lot #5 will not be subdivided into more than two lots and potentially the youth lot. They say the youth lot could go on any lot owned by Damroth.
- Section 6.4 of the Chilmark Zoning by-laws and a separate document called Youth Lot Regulations allow youth lots "for the purpose of helping young people who have grown up in

Chilmark and lived here for a substantial portion of their lives... for a one family dwelling for owner occupancy upon a lot having an area less than the minimum lot size...such lot for a period of ten years..." to a person under 30 selected by the Board of Selectmen and the Planning Board on a list of qualified applicants.

- The plan includes a 100 foot buffer along the southern border with Magee's Path and a 25 foot buffer along the eastern border with Old Field Path.
- The locus was reviewed.
- Key Issues include:
  - Incremental Development: This is the second subdivision of the original 28 acre property. The current proposal appears to be in conflict with several items contained on the Covenants of the 1987 subdivision.
  - Nitrogen Loading: Ordinarily the MVC does not review small residential developments. When it does so in an impaired watershed the allowable nitrogen loads can seem restrictive compared to similar developments nearby that do not go through DRI review. The MVC Water Quality Policy contains a clause that allows residential developments in a compromised watershed to meet the less restrictive of either the MVC nitrogen loading limit or Basic Nitrogen Reduction Techniques. For an impaired watershed it is the more restrictive.
  - Old Field and Magee's Path Buffer: The applicant has offered a 100 foot buffer along Magee's Path but only a 25 foot buffer along Old Field Path.
  - Development Envelopes: The plans show proposed lot lines and buffers but do not show development envelopes or other development details.
  - Further Subdivision: The applicant has offered no further subdivision that creates additional building lots.
- The property is mostly mapped by NHESP as estimated priority habitat. The applicant has been working with NHESP to delineate development and no cut areas but has not finished the process.
- The property is in the Tisbury Great Pond Watershed. The status of the watershed is compromised; the watershed exhibits some signs of water quality problems. Existing properties and all new construction will require nitrogen mitigation if any further construction is planned.
  - **Adam Turner** noted that since this property is in a compromised watershed they can use the nitrogen calculation or denitrification.
- An independent traffic study by an engineer was deemed by LUPC to not be necessary for this project.
- Correspondence was received by the MVC and was reviewed as stated in the MVC Staff Report.
- Paul Foley reviewed the rights of way.

**Linda Sibley** asked for clarification on the nitrogen; compromised versus impaired. **Adam Turner** read the policy definitions and noted that with a compromised watershed you are reaching the limits and with an impaired watershed you are beyond the loading limits.

### **3.2 Applicants' Presentation**

**Doug Hoehn** presented the following.

- This is a small scale estate plan.
- We are taking two existing lots and making four lots and one is a youth lot.
- He would not call this incremental development as it was contemplated in the 1987 approval. It was all thought about and contemplated at that time.
- The house and guest house is being looked at with regards to the MVC Water Quality Policy.

- Lot 4A will not have a guest house and the applicant would like to choose which one of the other lots will have a guest house but only one of the lots, either 5A or 5B. The youth lot will not have a guest house.
- David Damroth would like to choose whom the youth lot will go to.
- They have been in discussion with the Planning Board and have agreed to a 100 foot buffer zone on Magee's Path and a 25 foot buffer zone on Old Field Path.
- This has developed areas that NHESP does not consider habitat areas. We are doing the final tweaking of the plan with NHESP. We cannot develop more than five acres of moth habitat per NHESP.
- The Planning Board is supportive so far of the proposal.

**David Damroth** presented the following.

- He clarified that the west end of the property was not sold it was divided in a divorce.
- In 1987 when the subdivision was done a 100 foot no cut buffer was done in the west end of the property but left the other without as he was using the wood as his fuel source. However, now he is willing to make it a 100 foot buffer and he is no longer using that fuel source.
- The net effect of his stewardship of this land was to create large swaths of untouched land.
- We are not asking for anything more than what was previously asked for.

### 3.3 Commissioners' Questions

**Katherine Newman** asked if there will be a guest house added on the four lots and three other main houses. **David Damroth** said his house is already there and the shop is also there. The shop was always intended to be changed to a house.

**Katherine Newman** asked if the youth lot is only for ten years. **David Damroth** said that is correct but the young man who he would like to get the lot is willing to extend that to 15 years. It was always his intent to use this by-law.

**Robert Doyle** asked for clarification on what is being proposed to be built. **Doug Hoehn** said lot 5A already has a house on it which is David's house. Lot 4A has a shop with plumbing and septic. There will be a total of five houses when all is done.

**Joan Malkin** asked if what Doug Hoehn just stated is inclusive of detached bedrooms. **Doug Hoehn** said that is not even contemplated yet.

**Linda Sibley** noted that there is a reference on page 4 of the MVC Staff Report to Julie Johnson Staples and Candy Nichols suggesting this is old growth forest and it is not correct terminology. David Foster identifies ancient forest and that is land that has never been tilled and the soils not disturbed. **David Damroth** said he is very attached to this land and some of the trees in the west end are ancient trees. **Linda Sibley** reiterated that ancient forest has a different definition than old growth.

There was a discussion about the buffer zones.

- **Joan Malkin** asked for clarification on the buffer zones and asked it be included with the building envelope when they are submitted.
- **Linda Sibley** asked that the MVC be provided with information on the buffer zones on surrounding properties.
- **Doug Hoehn** said there are none to the north but will show them all on the building envelope.
- **David Damroth** said the Baumhofer subdivision to the north to Grey Barn has a no cut buffer but none to the south.
- **Linda Sibley** would love to have the buffer zone marked on the plan.

- **Joan Malkin** noted that one of the important factors on buffer zones on paths is the “looking through” factor.

**Gail Barmakian** asked for clarification on the number of houses and guest houses; originally there were three and two are being taken out so now there is only one guest house. But the applicant is adding three main houses counting the youth lot house and this will be shown on the building envelope. **Doug Hoehn** confirmed that was correct.

### **3.4 Public Testimony**

**David Seward** is representing his son William who is an abutter on the east and he is concerned about the 25 foot setback. All setbacks on his subdivision are 100 feet and he would like that also on the eastern end.

**Candace Nichols** is representing Fred and Julie Staples. Her clients support the youth lot. As an attorney on the Island since 1986 Chilmark has gone with a ten year restriction on a youth lot. Her clients are concerned with the consistency of the proposal with the Covenants of the 1987 plan. That plan imposed only one guest house for the subdivision on Lot 5 and Lot 5 was to have been able to be subdivided into two lots not three. Covenants were created but not signed by the Damroth’s or agreed to by the Chilmark Planning Board but are on record at the Duke’s County Registry of Deeds. They also note the only lot to have a guest house is Lot 5. We ask that consideration be given to requiring appropriate no cut zones, setbacks, no build zones, screening and the building envelope for new construction in the proposed subdivision plan. My clients are grateful for the care and concern that David Damroth has demonstrated for the land. They share his dedication and ask for planning to protect this beautiful area should David at some time in the future no longer be the steward over the lovely subdivision he created. Their concern is density. Her clients are advocating for building envelopes. They purchased a house from the Damroth’s and are concerned about the buffers and the setbacks. Candy Nichols noted the 1850 plan by Henry Whiting that shows wooded area and they have an email from David Foster noting these areas from 1850 fall within ancient woods.

- **Katherine Newman** asked Candy Nichols to clarify the bottom line.
- **Candy Nichols** said the bottom line is density; only one guest house, screening, no cut zones, buffers and building envelopes.
- **Joan Malkin** said it would help her and others if she could write what your client’s are concerned about and note the issues since your client is obviously very concerned.
- **Candy Nichols** said she is open to do so.
- **Linda Sibley** requested that the Covenants versus the Minutes of the Planning Board meeting be submitted for the record.
- **Paul Foley** confirmed that he has them.

### **3.5 Applicants’ Closing Statement**

**David Damroth** said the logic is very simple from what happened from 1987 until his divorce. Doug Sederholm handled the last part of my divorce and he saw the conflict I had with the subdivision of the ten acres and the youth lot. He went to the Planning Board and came to a decision. There is logic to this and David wanted that to be noted.

**Doug Hoehn** said the applicant will revise the offers to include the guest house information and can have the Building Envelopes to the MVC by Tuesday March 14, 2017, 2:00 p.m.

**Joan Malkin** noted that the MVC does not authorize something that is inconsistent so we have to look at everything.

**Linda Sibley** noted that Doug Sederholm recused himself because he can’t testify.

Linda Sibley, Public Hearing Officer continued the Public Hearing until March 16, 2017.

Robert Doyle, Acting Chairman recessed the meeting at 8:35 p.m. and reconvened at 8:40 p.m.

#### **4. MARTHA'S VINEYARD MUSEUM-TISBURY DRI 665 PUBLIC HEARING**

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*Doug Sederholm rejoined the meeting.*

*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.*

*For the Applicant: Phil Wallis (Executive Director), Conrad Ello (Architect), George Sourati (Civil Engineer), Joe Wahler (Landscape Architect), Bill Scully (Traffic Engineer).*

Linda Sibley, Public Hearing Officer opened the Public Hearing and read the Public Hearing notice. The applicant is the Martha's Vineyard Museum. The location is 151 Lagoon Pond Road, Tisbury, MA, Map 9-A Lot 25. The proposal is the renovation of the existing Marine Hospital built in 1895, demolition of the 1935 brick addition to the Marine Hospital, site work and construction of two new buildings with a total area of 9,698 sf.

##### **4.1 Staff Report**

Paul Foley presented the following.

- Phase one includes the renovation of the existing Marine Hospital built in 1895, demolition of the 1935 brick addition to the Marine Hospital, site work and construction of two new buildings with a total area of 9,698 sf.
- The Dukes County Historical Society was founded in 1922 and incorporated the following year. In 1996 the organization changed its name to the Martha's Vineyard Historical Society. In 2006 the organization began calling itself the Martha's Vineyard Museum which became official in 2010.
- Originally the society met in libraries, churches and private homes until 1932 when it acquired the Cooke House in Edgartown (built in the early 1700's). Over the following three decades they built four structures on an abutting property they acquired; in 1952 a small tower to house the original 1854 Fresnel lens, in 1954 a gate house, the library building and a carriage shed and in 1978 an addition for exhibition space and archival storage.
- They purchased the Captain Francis Pease House (c.1840) in 1989.
- In 2011 the Museum bought the former Marine Hospital property in Vineyard Haven that was built in 1895 which overlooks Vineyard Haven Harbor and Lagoon Pond.
- The current plan calls for all museum operations, with the exception of those involving Edgartown's historic Cooke House, to move to the renovated Marine Hospital property by the summer of 2018.
- The applicant is asking to demolish the brick addition to the Marine Hospital.
- The museum reports that in 2016, 5,426 individuals visited the museum.
- There are approximately 15,000 artifacts in the Museum's collection, 5,000 books, more than 500 linear feet of manuscripts, maps and charts, a large genealogical collection, more than 1,400 oral histories and more than 20,000 photographic images.
- Phase One includes:
  - Renovation of the existing three story 10,525 sf Marine Hospital built in 1895.
  - Construction of a two story 4,738 gsf Fresnel Pavilion and related site work.
  - Construction of a two story 4,800 gsf Vehicles and Vessels building.
  - Construction of a new 160 sf vestibule.



- The proposal also includes the demolition of the 1935 brick addition to the Marine Hospital and site work.
- Phase Two includes the construction of a new two story 9,983 gsf gallery wing and a two story 848 gsf connector.
- The Museum hopes to attract 80,000 visitors a year in the next 5-10 years.
- Key issues include:
  - Nitrogen: If the project is unable to be connected to the sewer the project would likely have an impact on Lagoon Pond and an alternative plan would need to be submitted. There is currently no Plan B.
  - Traffic: How would the museum deal with the traffic expected in the neighborhood with an anticipated 80,000 visitors per year in the next 5-10 years. The traffic study was submitted on March 8, 2017 and MVC staff has not had sufficient time to review.
  - Impact on Abutters: The property has several direct residential abutters. Virtually the whole lot has been cleared (largely due to archeological excavations).
  - Noise: How would the Museum minimize noise impacts on residential abutters, especially during special events and outside functions? The HVAC is located on the property boundary next to residential abutters.
  - Incremental Development: The current proposal is Phase One of a 2-3 Phase Plan. Should the MVC consider all phases at once?
  - Archaeology: PAL has been performing extensive excavation of the site recently. Results are not yet known by the MVC.
- Site photos were reviewed. The location of the abutters and the excavation of the buffer were shown.
- Photos were reviewed of the parking area, sidewalk, walkway and steps and the interior of the 1895 building.

#### **4.2 Applicants' Presentation**

**Phil Wallis**, Executive Director introduced Conrad Elio (Architect), George Sourati (Civil Engineer), Joe Wahler (Landscape Architect) and Bill Scully (Traffic Engineer).

**Bill Scully** presented the following.

- He was retained to do the traffic study and will be presenting an overview.
- The site plan was shown that includes bike racks, overflow parking and a bus drop off and an onsite parking area that is located near the service/delivery area.
- The traffic impact study is to understand the abutting roads. The museum will be accessed from Lagoon Pond Road and Skiff Avenue. They tie into Edgartown Vineyard Haven Road and Five Corners.
- The estimated amount of traffic generated by the project for entering and exiting the site needs to be determined. They are looking at summer traffic and peak and midday hours as well as crash history and have researched the volumes used by MassDOT data and the MVC data.
- The scope is projecting out five years, building background growth as well as the project.
- This is a unique use. Research was done of museums and potential traffic around the country. There are not a lot of models for forecasting traffic for museums and some of the models may have event traffic as well.
- He has previously worked on the YMCA and the Vineyard Youth Tennis projects on the Island.
- Information was compiled for the analysis that looked at volunteers, uses such as youth summer classes, subcontractor services, trash removal, expected admissions, data collection and traffic forecasting. Assumptions as well as common information was used but bike trips, pedestrians and public transit were not used but all of them are encouraged.

- The analysis includes operations, safety, site design and an access mitigation plan.
- A map of the study locations was shown.
- Lagoon Pond Road is 22 feet wide with a sidewalk for most of it. Skiff Avenue is wider and has a sidewalk. These roads are low volume roads.
- There are five approaches to Five Corners as well as ferry arrivals and departures, numerous potential conflicts and is difficult for pedestrians and bikes to traverse. Five Corners is a multiple of these conditions. Off season volume is 33-50% of peak season volume. Five Corners experiences notable crash frequency and can be confusing and congested. Any improvement at Five Corners requires MassDOT approval. Vehicle delays and certain levels of congestion exist at Five Corners.
- The past and current operating characteristics of the museum were reviewed.
  - Trip Generation weekday PM Peak; entering 5 and exiting 59 for a total of 64 trips.
  - Saturday Midday week; entering 15 and exiting 9 for a total of 24 trips.
- The project will add a relatively small amount of new traffic to the roadway system and will not change the operating characteristics at the study intersections from the no build condition.
- It is estimated that 65% of the museum's site traffic in peak time would be coming from Five Corners.
- Pedestrian and bike trips are emphasized but proper signage would be needed on Lagoon Pond Road and adequate parking on site for bikes.
- The applicant is working with the VTA to determine for the future if service route modifications can be accommodated to serve the museum.
- Improvement of the sidewalk conditions would be needed and ADA accessibility is needed for the project.
- The study encourages the use of the Park n' Ride for volunteers.
- The museum is working with the Town and MassDOT to update markings and signage at Five Corners.
- It is important to maintain good visibility and site lines on access routes.

**Phil Wallis** presented the following.

- The site photo was reviewed of the existing condition.
- It is a marquis site on the Island.
- The original 1895 location was essentially treeless.
- The building is in relatively good condition and we will keep as much of the exterior clapboard as it is today.

**Conrad Ello** presented the Master Plan.

- The site plan was reviewed.
- The Master Plan layout is the Marine Hospital on three floors (10,000 sf) and the Master Plan adds 20,000 sf in three buildings; the Marine Hospital, Fresnel Gallery and the gallery and collection storage, and the vehicle and vessels gallery.
- The property lines were shown.
- It is important to be respectful of the building façade overlooking the Vineyard Haven Harbor.
- There are two entrances; the elegance of the 1895 building with the center hallway and the south entrance from the parking area which is considered the main entry.
- The 1895 building is not conducive to exhibits and gallery space.
- The 1895 building will be used for a visitor's lounge, museum store, classroom/lecture room, lead in gallery, ticketing/information area, community room, research library and administration. The building is oriented around the south courtyard.

- Collection storage will be located in the basement and there will be a Hands on History interactive space for children.
- The Master Plan rendering was shown as well as the approach from the front lawn and terraced hillside and the courtyard.
- The interior maintains the configuration of the 1895 building.
- The Fresnel lens area has a lot of glass overlooking the lawn and the harbor and is an area where you are able to linger and enjoy the setting.
- The preservation of the 1895 building has been central to the design. Exterior details and finishes original to the building will be used. The museum will submit for a listing on the National Historic Register upon completion.
- Over the course of the design process mockups have been done to see if materials can be preserved. It appears that the clapboard can be preserved as well as the ornamental trim. The original palette will be used.
- The elevation and roof lines were reviewed.
- Four brick chimneys will be reconstructed and are a prominent feature of the original building.
- New building materials will be compatible to the historic building; cedar shingles, cedar wood trim and a cedar roof. There will be a copper clad drum above the Fresnel lens building.
- The face of the Fresnel lens building will be behind the front porches of the 1895 building.
- Phase One construction will be in late Spring and does not include building the gallery and the collective storage wing. Construction of the full Master Plan is to be determined. The Fresnel Gallery is part of Phase One.
- The facade of the buildings in Phase One and the Master Plan were shown.

**Joe Wahler** presented the following.

- He will be reviewing the landscape in the context of the impact on the neighbors.
- He showed the courtyard and lawn space.
- Prior projects he has worked on were shown as examples to indicate how respectful they have been to the area.
- They will be preserving and restoring the walkways.
- Exposed aggregate will be used in concrete areas to give the casual exposed feel.
- There will be a small catering pad on the front area and it will be polymer aggregate.
- The reinforced lawns will be able to support fire trucks and catering vehicles.
- Substantial landscape is being planned for the buffer of native vegetation.
- The view to the east will be left open.
- Parking will be pulled apart into smaller rooms so it is not massive.
- They will be using indigenous plants to the Island.
- There will be a privacy fence on the north property line and around the utility area.
- They have a decibel list and they are working with the impact on the neighbors.
- Low level lights will be used preserving dark skies and the island character.
- They are working with a signage consultant.

**George Sourati** presented the following.

- The site plan with the drainage was reviewed.
- There are three types of drainage.
  - To take care of the paved roads and parking areas drainage will slope toward a drainage swale.
  - For roof runoff they are proposing to capture half into an underground system that will be used for irrigation.
  - There will be underground drainage pits and the driveway drains into the drainage pit.

- Plans have been submitted to the MVC staff.

**Phil Wallis** said they are almost finished with the archaeological study but they are still working on it. Phase One does not have any impact on elements for the Wampanoag tribe.

**Linda Sibley** urged the Commissioners to write down the questions they may have for the applicant and to submit them to staff or at the continued public hearing.

#### **4.3 Testimony from Public Officials**

**Melinda Loberg** is the Chairman of the Tisbury Board of Selectmen. The museum has been interacting with the Town. The Town is so excited that the museum is coming to town and it will be standing at the gateway and entrance to the Island. The project does offer the town some challenges. The applicant has been to the Sewer Advisory Board regarding the wastewater plan and it has been recommended to put them on the sewer which will get the project out of the Lagoon Pond Watershed. This will be on the April 25, 2017 warrant for Special Town Meeting. The applicant has been in conversations with the Planning Board and the Board of Selectmen. We have been looking at traffic and pedestrian and bike access. The project fits into some of the goals of the town. The Town will do the best we can to accommodate the needs of the museum.

#### **4.4 Public Testimony**

**Linda Sibley**, Public Hearing Officer asked for public testimony from anyone who cannot come back to the continued public hearing to speak first.

**Hyung Suk Lee** asked for before and after pictures for comparison for parking and the landscape so the public will be able to understand and deal with the mitigation. He would also like to see the site plans and the building interior layout as well as exterior and interior pictures and plans.

**Frank Daly** is the closet abutter and he noted that Skiff Avenue has a huge turkey population and it could cause a traffic problem.

**Hyung Suk Lee** noted that with 64 cars added to the site he asked where are they coming from and that needs to be identified.

- **Fred Hancock** said that is beyond the scope area.
- **Linda Sibley** said the applicant can note where the traffic is coming from, is it via Lagoon Pond Road or Skiff Avenue.

**Dana Hodsdon** sits on the William Street Historic Committee and the Site Plan Review Board. The condensers for the Stop & Shop project were a contention for the neighbors. How will they have an impact for the neighbors for this project? He would like that taken into consideration. It is an issue even if they run only 30 minutes.

- **Conrad Ello** said they have the data and they can review that.

#### **4.5 Commissioners' Questions**

**Fred Hancock** asked if the traffic study is based on a full build out. **Phil Wallis** said it is based on the Master Plan and peak season.

**Trip Barnes** asked how the Fresnel Gallery is being heated. **Conrad Ello** said it is variable refrigerant flow. The courtyard side of the building is a facing long roof that is favorable for photovoltaics.

**Linda Sibley** asked for the HVAC information to be presented at the continued public hearing.

**Josh Goldstein** asked if the museum is going for LEED status for the building. **Phil Wallis** said the project is going for energy efficiency using LEED as framework but they are not going for LEED certification.

**Linda Sibley** noted that this a complex project and the public hearing will need to be continued.

**Adam Turner** said the MVC received all the material yesterday and although they have been working with the museum for several months it is a large project with a lot of information. We felt it was worth starting the process with an overview now. This is a big and important project.

**Linda Sibley**, Public Hearing Officer continued the Public Hearing until April 6, 2017.

## **5. NEW BUSINESS**

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*Commissioners Present: G. Barmakian, T. Barnes, C. Brown, R. Doyle, J. Goldstein, F. Hancock, L. Jason, J. Malkin, K. Newman, B. Robinson, D. Sederholm, L. Sibley, E. Thomas, R. Toole.*

### **5.1 Discussion**

**Leonard Jason** noted that everyone has heard about changes at Windemere. Windemere was a DRI and he does not remember them coming back to the MVC regarding any possible changes. He suggests that the MVC Chairman refers the matter to the Compliance Committee.

**Gail Barmakian** suggested that the MVC write a letter to them within the next seven days.

**Robert Doyle**, Acting Chairman said to consider the matter as being referred to the Compliance Committee.

**Adam Turner** said the Commission can contact them to find out what they plan to do.

### **5.2 Executive Director's Report**

**Adam Turner** presented the following.

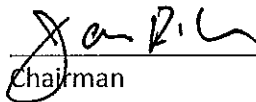
- There is a MVC meeting next week and the Mayhew Deliberation can be the first item on the agenda.
- There is a nitrogen, Water Alliance Committee meeting on March 16, 2017 that will have a roundtable discussion.
- The MVC has received certification on the DRI Checklist and it will be rolled out in April 2017.
- There is a meeting on March 13, 2017 and March 14, 2017 reviewing agricultural issues; Grazing and Conservation Concerns on Martha's Vineyard. David Foster and Tim Bollin will be in attendance. It will include concerns about open land.
- Lucy Morrison has joined the MVC as Donna Stewart's replacement.

The meeting was adjourned at 10:10 p.m.


### **DOCUMENTS REFERRED TO DURING THE MEETING**

- Draft Decision Martha's Vineyard Commission DRI 651-Masonic Ave. Historic Demolition
- Martha's Vineyard Commission DRI #673-Mayhew Subdivision MVC Staff Report – 2017-03-09
- Letter from Town of Chilmark Planning Board, Re: The Eileen S. Mayhew Revocable Trust 2000-Form C Definitive Subdivision Plan, Dated January 11, 2017
- Letter from the Division of Fisheries & Wildlife, RE: Middle Line Road, Chilmark, 4 Lot Residential Subdivision, NHESP File No: 16-35401, Dated March 9, 2017
- Plan of Land in Chilmark, MA, The Eileen S. Mayhew Revocable Trust 2000, Dated December 9, 2016
- Martha's Vineyard Commission DRI #672-Damroth Subdivision MVC Staff Report – 2017-03-09
- Damroth DRI 672 Offers, Dated March 7, 2017
- Minutes of the Chilmark Planning Board Meeting on March 23, 1987 at 7:00 p.m.

- Noted for A Plan of Land in Chilmark, Mass. As Prepared for David A. & Mary Jane Damroth, February 19, 1987
- Correspondence regarding the Damroth Subdivision:
  - Letter from Julie Johnson Staples, Re: Development of Regional Impact (DRI #672) Damroth Subdivision, Dated March 7, 2017
  - Multiple Correspondence from Don Dunner, Dated March 7, 2017, March 6, 2017 and January 9, 2017.
  - Letter from William & Michelle Seward, Dated March 6, 2017 and January 19, 2017
  - Email from Candace Nichols, Dated March 8, 2017
- Project DRI #672 Damroth Subdivision Water Resource Staff Report, Sheri Caseau, Dated 3/6/17
- Martha's Vineyard Commission DRI #665- M.V. Museum at the Marine Hospital MVC Staff Report – 2017-03-09
- The Master Plan Martha's Vineyard Museum

  
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 Chairman

5.4.2017  
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 Date

  
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 Clerk-Treasurer

5-8-2017  
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 Date