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May 18, 2022

Lucy Morrison, Chair
Edgartown Planning Board
P.O. Box 5130
70 Main Street
Edgartown, MA 02539

**RE: *Application of Martha's Vineyard
Hospital, Inc.
490 Vineyard Haven Rd. [11B-2143]***

Dear Ms. Morrison:

Please accept this letter as my continuing objection to the above application after having recently attended via video link at the most recent continued public hearing. At that meeting, the hospital's consultants and counsel set forth what they claim were improvements by way of revision and adjustment to their previously submitted plans.

Notwithstanding the changes, I believe that these proposed alterations and modifications fail to address significant problems with density and concentration of the project and in other ways makes the project now more complicated and problematic. I urge the Board and the Martha's Vineyard Commission to carefully consider the following:

- As I understood it and as the applicant has previously stated, the primary reason for locating the project on this site was access to sewer and wastewater disposal. The plan was for the nursing facility and workforce housing to connect with the Morgan Woods pumping station and then link to the Town's sewer plant. We are now advised by the applicant, this plan is not currently feasible due to the limited capacity of the plant. As such, any plans for sewer tie are now at best a future plan. Considering this, the hospital has submitted an alternate plan for septic for the entire project, namely, the 5 one story so called "nursing structures" and the two story housing structures located to the front and back of the site. The septic proposal adds other problems for this site and for adjacent residents. At a minimum volume of 150 gallons per day per bed,¹ the 70 bed nursing home

¹ <https://casetext.com/regulation/code-of-massachusetts-regulations/departments-310-cmr-department-of-environmental-protection/title-310-cmr-15000-the-state-environmental-code-title-5-standard-requirements-for-the-siting-construction-inspection-upgrade-and-expansion-of-on-site-sewage/subpart-c-design-construction-repair-and-replacement-of-on-site-sewage-disposal-systems/section-15203-system-sewage-flow-design-criteria>

would generate 10,500 gallons per day in waste water, excluding public restrooms, in house laundry, kitchen facilities, employee use and utility closets. This is without even consideration of additional septic wastewater that will be generated by 60 units² of proposed the on-site *housing [toilets, kitchen, laundry & bath]*.

Moreover, the composition of septic discharge is problematic as nursing home wastewater composition is different to standard wastewater with use of cleaning products and disinfectants for cleaning, the chemical oxygen demand more or less twice as high a normal sewage.³ Consideration would have to be given, apart from the housing project, to chemical and biochemical oxygen demands. According to CMS data, more than 1/3 of nursing home residents are severely incontinent of bowel and/or bladder,⁴ another septic concern.

Put simply, this entire project is a bad idea now only made worse with the current proposal for septic. Even with accommodation for an industrial wastewater holding tank, the size, concentration and enormity of this project will threaten groundwater quality, particularly for adjacent residents who are not connected to municipal water supply. If the project cannot connect to municipal wastewater, there exists no argument of the uniqueness of and dire need for the present site, making it then possible for the proposed site to be considered elsewhere.

- The proposed subdivision of the property to accommodate financing requirements of Martha's Vineyard Hospital and/or Navigator Homes is strained. As I understand it, the hospital would solely own and control the workforce housing⁵ and leaving Navigator homes to fend for itself on the nursing home buildings. Here, the financial backing of the hospital should benefit the entire project, not just the housing. Contrary to earlier statements of the hospital, the hospital itself is not actually replacing Windermere but now farming that out to Navigator, a different and unrelated legal entity with no stake in the nursing facility nor in its performance, outcome nor management. Its limited and narrow interest is the housing, another problem. If either the hospital or Navigator fail, the prospective sale or transfer of either or both of the lots would be complicated by the proposed and complicated gerrymandered lot line configuration.
- Further, the argument for the need for housing is diminished in light of the recent approval by the Town of Edgartown for the Housing Bank, a project similar to the Land Bank. As such, one could reasonably argue that the applicant's housing concerns are premature and I urge the Board to deny this project until such time as the Housing Bank's operation and utilization has had a chance to materialize and take hold. The Board may then well find that the applicant's dire and stated

² <https://vineyardgazette.com/news/2021/07/13/nursing-facility-planned-edgartown-faces-wastewater-hurdles>

³ <https://biocellwater.com/wastewater-treatment-for-nursing-homes/>

⁴ https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/CertificationandCompliance/Downloads/nursinghomedatacompendium_508-2015.pdf

⁵ Although they may very well place the housing into a separate legal entity apart from the hospital.

need for housing within a reasonable time is greatly diminished. By Navigator's own admissions, only 30 bedrooms will be utilized for workers at the nursing facility. The remainder of 46 bedrooms, more than ½ of the proposed housing, will be allocated elsewhere.⁶

- Putting aside for a moment the confusing wording of the project, the entire project is in the wrong place...it is a commercial project in a residential area. The hospital has submitted this grand but commercial mixed use plan in a primary residential district. There are no projects or structures of this sort nor magnitude in the surrounding premises where people live, an area inhabited by people, island residents and others. So, the proposed plan of development and placement of this project currently proposed is unsuitable and incongruous with and to the surrounding neighborhood. In other words, it would permanently stick out like a sore thumb. On this ground alone, the plan should be respectfully denied.
- Approval of this project will threaten the ancient pathway of Pennywise Path and permanently and forever taint the visual, historical, environmental and aesthetic aspects of this established and well used Island trail, no matter which way the project is configured. The addition of solar panels nearby will not mitigate nor lessen the harm.
- I note that Navigator Homes has submitted its very sophisticated and detailed video of what projects it has sponsored and operated on the mainland. I would remind the Board that mainland solutions are not always compatible with island needs. What works somewhere or on the mainland does not necessarily mean that it will work everywhere including the Island, which has distinct qualities and similarly unique needs.
- As the hospital as applicant is not running nor operating the new nursing home *[by whatever name you call it]* but leaving that responsibility to Navigator, other questions arise. What are the financial incentives of the applicant to have Navigator own and operate the nursing home? Why would the hospital not want the duty and responsibility for replacement of Windemere? The Board should consider asking the applicant and/or Navigator to voluntarily open their books on the contemplated financial arrangements of the project. That way, clarity can be given to the applicant's decision to have another corporation operate the nursing home while the hospital owns and manages the proposed housing complex.
- I have previously addressed the confusing and ambiguous statement of the applicant and as repeated in the Notices for Public Meetings of the Planning Board. Suffice it to say that a "Senior Residential Facility" is not the equivalent of

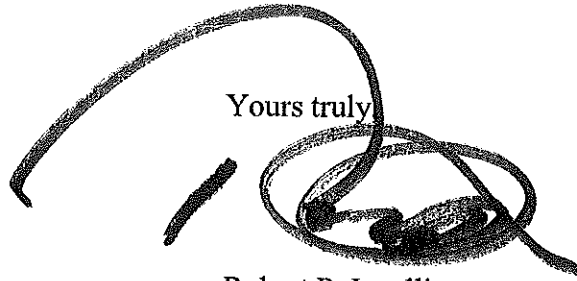
⁶ <https://www.navigatorhomesmv.org/blog/news-press/who-will-care-for-us/>

a "Skilled Nursing Facility" no matter what the applicant or its consultants state. Without question, this project does not replace Windemere.

- Finally, by approval of this project and granting permission for it to go forward will set a very bad precedent for future applicants for projects who also seek to place a large commercial project within or in close proximity to a traditionally residential area.

I am not unmindful of the need everywhere to meet the needs of the elderly....but when you step back and consider all the issues, this is not the place for it.

Yours truly

A handwritten signature in dark ink, appearing to read "Robert P. Ianelli". The signature is written in a cursive style with a large, sweeping initial "R" that loops back over the rest of the name.

Robert P. Ianelli

RPI
Encl.
File

cc:
Martha's Vineyard Commission
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