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Office of the DRI Coordinator

DRI 744 3 Uncas Avenue Historic Demolition & 40B Proposal

October 31, 2023

Robert Sawyer, Applicant's Agent and Registered Agent
Flowerwood, LLC
210 Mayflower Lane
P.O. Box 1408
Tisbury, MA 02568

Dear Mr. Sawyer:

As of today, your application for DRI 744 remains incomplete. You were informed it was incomplete by the Land Use Planning Committee (LUPC) Chair on August 21, 2023. Since that date you have failed to provide information and documentation that would help complete the application. You have also failed to answer questions that would allow staff to bring the application to a more complete state. Lastly, you have failed to pay your application fee and challenged the Commission's authority and reasoning for seeking an engineer's opinion despite having that reasoning and authority made clear on August 21, 2023 and in subsequent email communication.

Below are questions you have not answered since they were emailed to you on October 13, 2023. Some of these questions had been asked previously and were either not answered in a clear and thorough manner or not answered at all.

- Have you reconsidered some sort of Plan B for what you would do with the Stephen Flanders House should you be unable to fulfill your intent to demolish it?
- Since your receipt of the two-page report from John Lolley, PE in which water damage is noted, could you please state clearly and comprehensively what efforts you have taken to limit water intrusion into the building (rain/snow/ice)?
- Also concerning the two-page report from John Lolley, PE, can you speak to why its dates don't jibe? Barring Mr. Lolley possibly having a Tardis at his disposal, how is it this report can be stamped June 13, 2020 yet begin with a sentence that reads, "[o]n July 9, 2022, I inspected the properties at 3 Uncas Ave. Oak Bluffs, MA"?
- At the last staff applicant meeting you folks were informed of deficiencies in the site plan—specifically, lack of linear measurements, lack of a compass arrow, and lack of a stamp. Have you folks amended the site plan? If not, when do you expect an amended site plan can be provided?
- Concerning the proposed replacement structure, can you say definitively whether you intend to erect an apartment building or a condominium complex?

- Concerning your expressed intent to sell some of the residential units, for those units that are affordable, who will oversee the unit sales and will a lottery be involved?
- Concerning any units designated as workforce housing, what definition of workforce housing do you intend to apply to the units?
- Concerning the obligation to comply with Title V within six months of acquiring the property, has this occurred? If not, why not?
- With the understanding you have received an email from the Oak Bluffs Wastewater Department that states in a general manner that an upgrade to the Town's wastewater treatment plant is expected, have you reached out to the Oak Bluffs Wastewater Department to ask for flow specifically dedicated for your proposed project at 3 Uncas Avenue?
- Have you consulted with an engineer to assess the project's nitrogen calculations? Do you require staff assistance with nitrogen calculations?
- You have stated that you do not intend to conduct a 21E or similar environmental assessment at 3 Uncas Avenue. Does this remain your position?
- Have you conferred with the Oak Bluffs Fire Department (OBFD) about incorporating a sprinkler system into the proposed project? If so, what was the outcome? If not, when do you plan to confer with OBFD?

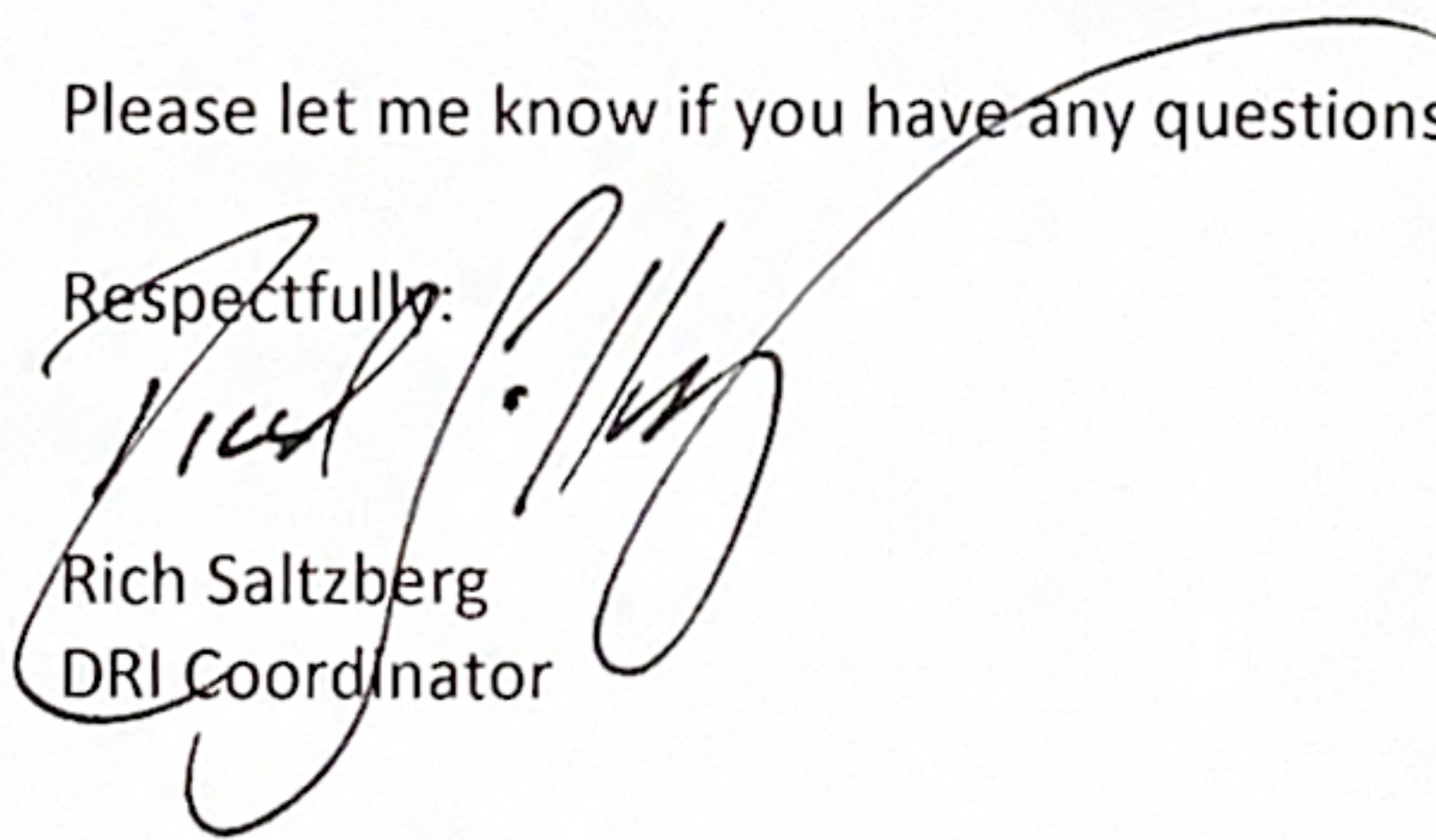
While an LUPC meeting has been scheduled for November 13 and a hearing before the Full Commission has been scheduled for November 16, Commissioners, as it stands, do not have a complete application to work with. To minimally complete the application, the questions above must be thoroughly answered.

Furthermore:

- A proper site plan must be submitted
- A letter from the Oak Bluffs Wastewater Commission must be provided indicating a flow allotment specific to your property
- A letter from the OBFD must be provided indicating the necessity or lack thereof for sprinklers
- Application fees must be paid

Please let me know if you have any questions about what is outlined in this letter.

Respectfully:


Rich Saltzberg
DRI Coordinator