

Southern Tier Offers to the MVC

Southern Tier makes the following offers in consideration with our proposed development.

1. Southern Tier will provide free WiFi for residents at the Community House that will be equipped with tables and chairs.
2. Southern Tier commits to create an energy and climate friendly development with zero fossil fuels, PV solar panels, 6 Electric Vehicle charging stations and conduits in parking areas for future expansion of EV charging stations.
3. Southern Tier commits to designing the project with 3 fully accessible ADA apartments and employ universal design principals for the entire development.
4. Southern Tier commits that the 45 rental apartments will remain rental apartments in accordance with the regulatory agreements recorded on the property associated with the funding sources utilized.
5. Southern Tier commits to abide by the regulations associated with our state and federal funding sources which will not permit the eviction of a tenant who originally qualified for their housing simply because their income has increased to the point where they would no longer qualify. Additionally, we commit to income certify each household annually to ensure that each household continues to pay 30% of their gross income in rent.
6. Southern Tier commits to working with its general contractor to protect and preserve as many existing trees within the construction zone as is possible.
7. Southern Tier commits to erecting temporary fencing around the construction zone to protect the 2.96 acres of undisturbed land where 1.87 acres of the property within the leased area that will be left undisturbed and placed in conservation with the Town.
8. Southern Tier commits to not using fertilizer as part of our landscape maintenance.
9. Southern Tier commits to permeable surface under the car and bicycle parking spaces.
10. Southern Tier commits to Water Quality mitigation described below:
 - a. To mitigate the excess nitrogen generated by the project (estimated at 33.67 kg/year for 48 units and 32.18 kg/year for 45 units), the Applicant shall work with the town of Oak Bluffs to permanently restrict a separate, potentially developable property within the Sengekontacket Pond watershed from any development that would contribute nitrogen to the watershed. This may be achieved by placing a permanent conservation restriction (or other permanent legal restriction) on the property, provided the property currently contributes no nitrogen. A final mitigation plan, including the location and size of the property, and the proposed method of restriction, shall be subject to LUPC review and approval prior to receipt of a Building Permit. The identified property shall be restricted accordingly, with documentation as requested by MVC staff, prior to receipt of a Certificate of Occupancy.

OR

To mitigate the excess nitrogen generated by the project (estimated at 33.67 kg/year for 48 units and 32.18 kg/year for 45 units), the Applicant shall at its expense connect 28 bedrooms in the Sengekontacket Pond watershed to KleanTu septic systems. The selected homes shall be ones that currently have

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standard Title 5 or failed septic systems, which will be replaced by the KleanTu septic system. A final plan for the septic conversions, including the location of each property and projected nitrogen reduction, shall be submitted to the LUPC for review and approval prior to receipt of a Building Permit. The connections shall be completed prior to receipt of a Certificate of Occupancy.

- b. Testing results for the system as outlined above, and water use records for the project, shall be provided to the MVC annually for three years. If the documented nitrogen reduction offsite does not amount to at least 33.67 kg/year for 48 units and 32.18 kg/year for 45 units, or if the excess nitrogen generated by the project exceeds 33.67 kg/year for 48 units and 32.18 kg/year for 45 units, then further mitigation may be required by the LUPC.
- 11. Southern Tier commits to expanding to 48 units if we are able to obtain the necessary public funding.
 - 12. Southern Tier commits to placing a restriction on the use of the community house which will require any event held at the community house to conclude by 11:00pm in order to ensure compliance with the Town's noise by-law.
 - 13. Southern Tier commits to create a walking path with a vegetated buffer to the properties on Gamba Road along the eastern edge of the property from our Main Drive to Old Holmes Hole Road subject to review and approval by the Division of Fisheries and Wildlife.
 - 14. The Applicant commits to conduct a Phase 1 Archaeological Survey of an area agreed to by the Wampanoag Tribe of Gay Head (Aquinnah) Historic Preservation Officer in relation to the boulder located on the northern edge of the property. Any changes to the project that result from the survey shall be subject to review and approval by the LUPC. A summary of the survey report will be provided to the LUPC prior to the commencement of construction.