

June 19, 2008

By First Class Mail and Electronic Mail

Martha's Vineyard Commission
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Attn: Paul Foley

**Re: 10 Sea View Avenue Extension, Oak Bluffs
MVC Review, DRI #607**

Dear Members of the Commission:

Per the Commission's instructions at the last public hearing, on June 12, 2008, we are submitting these final comments on DRI #607, the proposed addition at 10 Sea View Avenue Extension in Oak Bluffs. As our office has previously submitted written correspondence and photographs into the record, we refer the Commission to those prior submittals and incorporate them herein by reference.

Based on the most recent set of site plans submitted by the Applicant, the revisions to the proposed addition to the existing dwelling present a project proposal that remains at odds with the character of the existing dwelling, the existing neighborhood and the applicable historic and DCPC districts within which the property is located. As stated at the last hearing, while the most recent plan set seeks to address the ridge height concerns raised by the MVC as well as the public, the limited revisions do not adequately address a) massing and scale of the proposed addition; b) views from abutting properties and from public vistas; c) necessity of the scope of the project in light of its stated purpose; and lastly d) environmental concerns relative to surface water runoff and discharge.

Each of the above matters is briefly addressed:

a) Massing and Scale

Per both Cottage City Historic District and Copeland City regulations and standards, the footprint and height of the addition remain to be just too much. As shown on the plans, the footprint of the new habitable space (first floor only, 720 sf) is nearly

two-thirds of the habitable space of the existing first floor (1169 sf). On the second floor, the additional habitable space is more than 50 percent of the existing house's second floor space (538 sf vs. 905 sf).

Likewise, given that the back of the lot slopes down approximately six feet from the front of the lot, the proposal maximizes the roof ridge height at the expense of unduly creating an elongated wall height for the length of the addition. As proposed, the wall height for the addition is inconsistent not only with the existing house, but the entirety of the North Bluff neighborhood.

In terms of scale and mass, the Commission may recall that the letter from Michael Dutton, for the Town of Oak Bluffs, indicated that one of the concerns raised within the collective Town Board information session with the Applicant involved Section 4.2.5 of the Oak Bluff Zoning Bylaw. Section 4.2.5 provides that no permit may be granted for a new dwelling that would occupy more than one third of the lot area. As you may recall at the last hearing, Attorney Iverson indicated that a recent survey showed the lot to be 8,180 sf, and therefore the proposal would cover 32% of the lot and not 33%. Even assuming that the lot size is more than what is shown on the Assessor's records (approximately 7,800 sf), it must be underscored that the Zoning Bylaw's requirement of Section 4.2.5 is intended for appropriately sized lots. In the R-1 District (10,000 sf minimum lot size), this would translate into a requirement that at least 6,666 sf not be developed by a dwelling structure. Here, that amount of undeveloped space presently does not exist when considering only the existing house.

b) Views Obstructed of Both Private Parties and from Public Viewpoints

With the exception of elimination of the tower, the revised project plans do not notably reduce the height of the structure. The slight reduction of the ridge line and lowering of the numerous dormers only lessens the view of the mass and size of the structure if viewed head on. All other views, inclusive of those from the neighboring properties, from the public ways and from the approach by the ferries remain unnecessarily impacted by what is essentially a three level addition that maximizes the drop in elevation on 10 Sea View Avenue. We believe that the Commission has had the ability to both see for itself and to see from the perspective of the abutters the level of obstruction and impairment of views that the addition will continue to impose upon the community and the Island visitors.

c) Necessity Of Magnitude of Addition In Light of its Intended Purpose.

The Applicant presently has a five bedroom dwelling. Through the proposed addition, Mr. Moujabber claims to not want to increase the bedroom capacity at the dwelling, but merely to create a bit more room and to provide a space to park his car. The achievement of that objective, while itself may not be objectionable, does not necessitate the proportions and magnitude of the project as it exists today. Notably, the proposal architecturally detracts from the historic district character, detracts from the DCPC cultural and historical character, and alters the viewscape for residents and visitors

alike of the North Bluff as well as increases runoff due to extensive roofing, paving and grade changes.

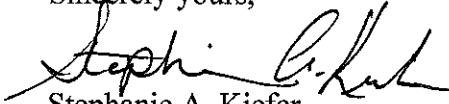
d) Environmental Concerns

The project creates concerns both pre-construction/demolition and post-construction. On the former point, the Applicant has not presented the Commission or the public with good, solid information that the area will be protected, from demolition debris, runoff and noise. I have reviewed the letter dated June 18, 2008 from Architectural Innovations and upon such review, remain unsatisfied that the proposal sufficiently addresses environmental concerns. First, there is no timeframe in terms of when the demolition would occur. While the Applicant has agreed that construction would not begin until after Columbus Day, there is no such assurance that a) demolition will be fully completed before any pre-construction/construction work advances and b) detail on the dismantling of the frame is lacking. As stated previously, given the small size of the lot, there is insufficient space to have partial structures, storage of items and to simultaneous advancement of ground work all the while keeping adequate protection for erosion control measures. The vagueness of the demolition and construction narrative is far from adequate. Second, there appears to be no provision for detention or retention basins, with the limited exception of a single swale shown on the plans. Third, the narrative should have detailed exactly the level of materials to be used for the proposed addition. In terms of construction detail in general, the submitted proposals remain vague and without a clear delineation of the limit of work.

Unfortunately, the lack of clarity of the demolition and construction plans lead one to the conclusion that the proposed "addition" is merely an effort to grade the lot a bit more and to replace the majority of the illegal structure into the excavated pit. While we have objected to the scope of the proposed addition, the recent information on "dismantling" of the garage structure may be even more disconcerting.

In closing, it remains our position that the addition as proposed remains too large, too high and too inconsistent with both the existing dwelling on the lot as well as the North Bluff and the DCPC within which it lies.

Sincerely yours,


Stephanie A. Kiefer

cc: Belleruth Naparstek
Albert J. Read