

## THE MARTHA'S VINEYARD COMMISSION

BOX 1447 • OAK BLUFFS  
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(508) 693-3453  
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DATE: April 6, 1995  
TO: Building/Zoning Inspector, Town of West Tisbury  
FROM: Martha's Vineyard Commission  
SUBJECT: Development of Regional Impact  
RE: FOCUS Study Center expansion  
APPLICANT: Fellowship of Christians in Universities and  
Schools (FOCUS)  
PO Box 4609  
Vineyard Haven, MA 02568

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DECISION OF THE MARTHA'S VINEYARD COMMISSIONSUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves, with certain conditions, the granting of permits for the development contained in the Application of the Fellowship of Christians in Universities and Schools (FOCUS/s), PO Box 4609, Vineyard Haven, MA 02568, as shown on the plans entitled: "Proposed Master Plan, West Tisbury, Massachusetts, prepared by Mark Hutker and Associates Architects, PO Box 2347, Vineyard Haven, Massachusetts and Stephen C. Stimson, Landscape Architect, 3 Water Street, Woods Hole, MA, March 1995, Scale 1"=50', consisting of one (1) sheet, plus "FOCUS, a packet depicting elevations and floor plans of various buildings and structures on the site", consisting of seventeen (17) pages, totalling eighteen (18) sheets, (the Plan).

This Decision is rendered pursuant to the vote of the Commission on April 6, 1995.

The Building Inspector and all other permit granting boards of the Town of West Tisbury may now grant the request for approval of the Applicant in accordance with the conditions contained herein or may place further conditions thereon in accordance with all applicable laws or may deny the request for approval.

FACTS

The proposed development is a Development of Regional Impact as defined by the Commission's Standards and Criteria, Developments of Regional Impact Section 3.601. The Application was referred to the Commission by the Building Inspector of the Town of West Tisbury pursuant to Chapter 831 Acts of 1977 as Amended (the Act). The Application and Notice of Public Hearing relative thereto are incorporated into the record herein. Martha's Vineyard Commission staff document exhibits are also incorporated into the record by reference.

A duly noticed public hearing was conducted by the Commission pursuant to the Act and M.G.L. Chapter 30A, Section 2 on Thursday, January 19, 1995 at 8:00 pm in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. Following the testimony presented, the hearing was continued to permit the Applicant to respond to and address various aspects of the testimony presented.

The Commission conducted a continued hearing on Thursday, February 23, 1995 at 7:30 pm in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. The hearing was closed the same night.

A summary of the testimony provided at the hearings is provided as Exhibit A attached hereto. The hearing summary is for the convenience of the reader and was not relied upon by the Commission in reaching its decision on this matter.

The proposal is for is for the expansion of a church related place of assembly in a camp like setting.

FINDINGS AND CONDITIONS

The Commission has considered the Application and the information presented at the public hearing and based upon such considerations, makes the following findings pursuant to Section 14 of the Act.

- A. THE COMMISSION FINDS THAT THE PROBABLE BENEFITS OF THE PROPOSED DEVELOPMENT, AS CONDITIONED, WILL EXCEED THE PROBABLE DETRIMENTS AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 15 OF THE ACT (SECTION 14 (A) OF THE ACT).

The purpose of the Commission, as set forth in Section 1 of the Act, is to "protect the health, safety, and general welfare of island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, historical, ecological, scientific and cultural values of Martha's Vineyard which contribute to public enjoyment, inspiration and scientific study."

1. Based upon the record and the testimony presented therein, and in addressing whether there will be a more favorable or adverse impact on the environment in comparison to alternative manners of development, the Commission sets the following conditions (Section 15(b) of the Act):
  - a. That the Applicant shall redirect the run-off along the proposed roadway in order to prevent siltation and pollution through the creation of a series of swales and by sloping the proposed roadway away from the three (3) vernal pools that are adjacent to said proposed roadway; and further
  - b. that said proposed roadway shall be constructed of a porous surface material and shall be only as wide as necessary for the usage of one single vehicle at a time but that the brush and shrubs along the side shall be cut back so that the entire "clear zone" shall be equal to fifteen (15) feet as per the request of the West Tisbury Fire Department; and further
  - c. that said roadway shall not be constructed during the times when the vernal pools are active, specifically during the months of April, May and June; and further
  - d. that said roadway shall be moved no less than twenty (20) feet farther away from the vernal pools; and further
  - e. that the new girls dormitory shall be moved away from the area of the vernal pool(s) by no less than eight (8) feet and that the new boys dormitory shall be moved as much as possible out of the buffer zone around the wetlands; and further
  - f. that the Applicant shall provide and install all appropriate plantings below the vernal pools and shall make every effort to keep persons out of the area of said vernal pools; and further
  - g. that the proposed office building shall be removed from the buffer zone to the greatest extent possible by relocating the parking area and moving the building into said space;

and further

- h. that the plan subsequently developed to reflect all the above noted changes and modifications shall be brought before the Land Use Planning Committee for final approval and once approved shall be made part of the record.
2. Based upon the record and the testimony presented therein, and in addressing the affect on other persons or property, the Commission sets the following conditions (Section 15(c) of the Act):
- a. that the Commission accepts the Applicant's offer to limit usage of Wintergreen Lane access to the Royce property to handicapped and emergency vehicles only once the on-site access road has been constructed; and further
  - b. that the Royce property shall revert to a residential usage when and if the new office building is constructed on-site; and further
  - c. that the Commission accepts the Applicant's offer to eliminate the large playing field and associated pavilion and to relocate the basketball court farther away from the abutters; and further
  - d. that the Applicant shall return to the Land Use Planning Committee to obtain approval for any and all landscaping and/or other sound mitigating measures and to establish hours of usage for the basketball court and tennis courts and said review and approval shall occur prior to the construction of the aforementioned basketball court.
3. Based upon the record and the testimony presented therein, and in addressing the provision of municipal services, the burden on taxpayers and the favorable or adverse affect thereon, the Commission sets the following conditions (Section 15(e) of the Act):
- a. that the Applicant and the Board of Health shall determine if any new septic system facilities can incorporate nitrogen removing processes and said systems shall be used wherever feasible; and further
  - b. the Commission recommends that the Board of Health conduct an investigation of the potential of phosphate removal to further mitigate any potential harm that may occur to Seth's Pond.
4. Based upon the record and the testimony presented therein, and in addressing the efficient use or burden thereon of public facilities, the Commission sets the following conditions (Section 15(f) of the Act):

- a. that the Applicant shall undertake to install such fire safety and protective measures as shall be deemed appropriate and satisfactory to the Fire Chief of the Town of West Tisbury;  
and further
  - b. that there shall be an annual fire safety inspection performed by the Fire Department of West Tisbury during the Spring of each year to ensure that all life safety codes are adhered to for the protection of the users of the site;  
and further
  - c. that, since the Applicant has indicated through his testimony that no more than 68 beds shall be in winterized units, therefore, the Building Inspector of the Town of West Tisbury shall issue an Occupancy Permit for no greater than that number of beds in winterized units and said occupancy limitation for winterized units shall be for the period of 15 November through 15 March of any given year.
5. Based upon the record and the testimony presented therein, and in addressing the achievement of municipal goals and objectives, the Commission sets the following condition (Section 15(g) of the Act):
- a. that should FOCUS ever cease to exist or to ever sell, trade, swap or in any manner, give up the ownership and/or usage of the property or portion thereof, which is the subject of this Decision, then any and all new usage of said property shall return to the Martha's Vineyard Commission for further review and approval.

The Commission considered the factors set forth in Sections 15(a), (d) and (h) of the Act and found that either such factors were not pertinent to the issues raised by the proposed development, or such factors were relatively minor in their effects in comparison to other factors.

- B. AS CITED ABOVE IN SECTION 15(G) OF THE ACT, THE COMMISSION DOES NOT FIND THAT THE PROPOSED DEVELOPMENT WILL SUBSTANTIALLY OR UNREASONABLY INTERFERE WITH THE ACHIEVEMENT OF THE OBJECTIVES OF THE GENERAL PLAN OF ANY MUNICIPALITY OF THE GENERAL PLAN OF THE COUNTY OF DUKES COUNTY.
- C. THE COMMISSION ACKNOWLEDGES THAT THE APPLICANT MUST SECURE AN ORDER OF CONDITIONS FROM WEST TISBURY CONSERVATION COMMISSION WITH RESPECT TO ANY PROPOSED CONSTRUCTION WITHIN THE WETLAND BUFFER ZONE BUT OTHERWISE IS FOUND TO BE GENERALLY CONSISTENT WITH DEVELOPMENT ORDINANCES AND BY-LAWS OF THE TOWN OF EDGARTOWN.
- D. THE COMMISSION ACKNOWLEDGES THAT THE SITE OF PROPOSED DEVELOPMENT IS WITHIN PORTIONS OF THE ISLAND ROAD

DISTRICT DCPC AND ALSO WITHIN PORTIONS OF THE SETH'S POND SPECIAL PLACES DCPC BUT THAT NONE OF THE CONSTRUCTION PROPOSED FALL WITHIN THE DELINEATED DCPC BOUNDARIES AND THEREFORE THIS ISSUE IS NOT PERTINENT TO THE PROPOSAL.

The Applicant must, consistent with this Decision, apply to appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.

This Decision is written consistent with the vote of the Commission: April 6, 1995

Any Applicant aggrieved by a Decision of the Staff or Committee hereunder, may appeal to the full Martha's Vineyard Commission which shall decide such Appeal, after notice and hearing, within 21 days of the close of the public hearing.

The Executive Director may issue Certificates of Compliance which shall be conclusive evidence of the satisfaction of the conditions recited herein.

Any party aggrieved by a determination of the Commission may appeal to Superior Court within twenty (20) days after the Commission has sent the development Applicant written notice, by certified mail, of its Decision and has filed a copy of its Decision with the Town Clerk in the Town in which the proposed development is located.

  
Michael J. Donaroma, Chairman

4/20/95  
Date

  
Notary

4/20/95  
Date

Thomas R.G. Simmons  
Notary Public  
My Commission Expires August 11, 2000

## SUMMARY OF THE HEARING TESTIMONY (1-19-95)

The Martha's Vineyard Commission held a public hearing on Thursday, January 19, 1995 at 8:00 pm in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, on the following Development of Regional Impact (DRI):

**Applicant:** Fellowship of Christians in Universities and Schools (FOCUS)  
PO Box 4609  
Vineyard Haven, MA 02568

**Location:** Lambert's Cove Road, abutting Seth's Pond (West Tisbury Assessor's Map 7 Parcel 93 and Map 11 parcel 108)

**Proposal:** expand Study Center/Camp by renovating buildings and constructing new structures: chapel, bunk house, dining hall, pavilion and foot bridges. Relocate administrative activities to building to be constructed at Center.

Ms. Sibley read the public hearing notice and opened the hearing for testimony at 8:22 pm. She then explained the procedures of the public hearing. She then called upon the applicant for his presentation.

Woody Bowman, Associate Director, discussed the background on the Island. He further discussed how the land on Lambert's Cove Road came to FOCUS.

Joey Pierce, Associate Director for Operations, used a video to describe the site.

Mr. Wessling, MVC staff described where the various shots were taken on the site.

Mr. Pierce further discussed the reasons for the improvements and expansion. He also discussed the potential for year-round usage. He noted that the increase in usage would be roughly 16-17%. He discussed the use of an abutting property as an office space. He discussed the possibility of the abutting property becoming part of FOCUS and committed a return to residential usage when a new office building is built.

Mr. Pierce then discussed the purpose of the master plan, the need for up-grade and the need to improve the quality of the programs offered. He discussed the reasons for increased recreation facilities.

Mr. Pierce noted that some of the proposed buildings were in the wetlands buffer zone. He then discussed the protection of Seth's pond.

Mark Hutker, Architect, discussed the proposal building by building and explained the various proposed changes. He then discussed the winterization of many of the buildings. He further discussed the usage of the proposed office building, the pavilion and the recreation areas. He indicated where two bridges would be used to cross wetland areas. He discussed the various views both from and to the site.

Mr. Sullivan raised a question about the total new construction. About 2,000 sq. ft. seemed to be the answer. Mr. Hutker then discussed the handicapped accessibility of all the buildings.

Ms. Talbot questioned the definition of winterized. Mr. Hutker explained what was meant by the term.

Ms. Sibley raised a question regarding the visual impact of the proposal and questioned whether a limitation on vegetation removal would be acceptable. Mr. Pierce indicated yes to a certain degree.

Ms. Sibley questioned whether the applicant would be willing to develop a landscape plan. Yes, was response.

Ms. Greene questioned whether the road would continue to the rear and asked where the path was between the properties.

Mr. Hutker indicated where the services would be for the dining hall. Mr. Pierce indicated that no vehicular access was

anticipated between the two properties.

Mr. Best discussed the future usage of the 'Marx' property should FOCUS take possession and questioned whether there would be offices remaining on the 'Marx' property. No, was response.

A discussion of the appropriateness of discussing the two properties and any linkages followed.

Ms. Greene questioned parking location for chapel. Mr. Hutker discussed this issue.

Glenn Provost, explained the determination of the wetland buffer areas. He then discussed some of the issues related to septic systems.

Kent Healy discussed the waste water disposal systems, the siting of same and the various regulations in West Tisbury. He further discussed the possible usage of alternative systems.

Ms. Rubinoff questioned whether the existing systems would be upgraded. Mr. Healy indicated, yes.

Mr. Shay questioned whether the level of the Pond changes. A discussion of this matter followed. A discussion of any changes to the buffer zones followed.

Mr. Sullivan questioned the Soil Conservation Service classification of some of the soils. Mr. Healy discussed this matter.

Ms. Sibley questioned the calculations as per Title V. Mr. Healy discussed the Board of Health ideas as to usage. A discussion of how Title V numbers relate to camps and campers followed.

Mr. Colaneri questioned the water source. Mr. Pierce noted that a new well would be sited. A discussion of whether the new well would qualify as a small municipal well followed.

Mr. Colaneri asked if the dining hall was included. Yes it was.

Mr. Smith raised an issue with the distance between septic and wells. A discussion of this matter followed.

Ms. Greene questioned the reporting of suspected vernal pools. A discussion of this issue followed. A discussion of the vernal pools near the existing turn around followed.

A discussion of metering of water usage followed.

Mr. Smith discussed the various regulations affecting municipal water systems.

A discussion of usage of alternative systems for waste water followed.

Ms. Sibley raised a question regarding ACA regulations. Mr. Pierce discussed this issue.

Ms. Greene raised a question regarding fire protection. A discussion of this matter followed.

A procedural discussion of the length of testimony remaining followed. The hearing recessed for 5 minutes at 9:56 pm.

Ms. Sibley reconvened the hearing at 10:10 pm. She then called for testimony from town boards - there was none.

She then called for testimony from any who could not return. Tucker Hubble, W. Tisbury resident, discussed the location of the proposal, the nature of the residential area and the various surrounding uses. He discussed the access rights over his property to the FOCUS office building. He indicated his opposition to access to the office building. He also felt that the proposal was too large for the area. He hoped it would remain the same.

A discussion of the various aspects of the proposal followed.

Nicholas Punner, W. Tisbury resident, discussed several letters he had submitted for the record. He discussed the issue of maintenance vs growth. He then discussed the intensity of use of the site and the discrepancies of the master plan. He then discussed the issue of traffic increase in the area. He discussed concerns for the ultimate size and intensity of development in the area and the impacts upon abutters and the mitigation thereof.

Alvin Lane, Gay Head, agreed with previous speakers.

Fred Bennett, W. Tisbury resident, felt proposal should be studied carefully. Felt renovations could go forward but would



not like to see FOCUS dominate area.

Ms. Sibley then called for testimony from those in favor of the proposal. - there were none.

She then called for testimony of those opposed.

Mary French, W. Tisbury resident, abutter, felt increase in usage would be too great. She was concerned with pollution, traffic increase, noise pollution, etc. She discussed the open recreation areas and the impact upon her property. She expressed concern over the drainage upon the existing septic system on her property. She felt the proposal might be better located elsewhere.

Mr. Smith asked for the location of the home in question.

Ms. French indicated the location.

Ms. Sibley then called for general testimony - there was none.

Terese Lane, W. Tisbury resident, questioned whether the impact of the expansion would harm Seth's Pond.

There being no additional testimony at this time and pending reports from staff and the Police and Fire Departments the hearing was continued until February.

#### SUMMARY OF HEARING TESTIMONY (2-23-95)

The Martha's Vineyard Commission held a continued public hearing on Thursday, February 23, 1995 at 7:30 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA on the following Development of Regional Impact (DRI):

Applicant: Fellowship of Christians in Universities & Schools  
(FOCUS)  
PO Box 4609  
Vineyard Haven, MA 02568

Location: Lambert's Cove Road abutting Seth's Pond  
West Tisbury

Proposal: Expansion of Study Center Camp

Linda Sibley, Chairman of the Land Use Planning Committee, (LUPC), read the public notice and opened the hearing for testimony at 7:41 pm. She called upon the Applicant for a brief summary.

Joey Pierce, Director of Operations, discussed the proposal and a number of minor changes that had come about due to public concerns. He discussed changes to the access to the home office (Royce property). He indicated that FOCUS would extend a driveway on their property for parking and would use Wintergreen Lane only for handicapped access. He discussed the problems of attempting to get around a vernal pool on-site. He then discussed the issue of noise from the playing field. He indicated that usage would be restricted to between the hours of 10:30 am and 5:00 pm. He then discussed how the recreation field would be lower than the surrounding land and that there would be heavy planting to serve as a visual and sound barrier. He then discussed the location of the proposed new home office building. He discussed removal of the building from a portion of the wetland buffer area. He indicated how it was proposed to remove water from the area to prevent intrusion into the wetland. Mr. Pierce then discussed the degree of clearing around the Seth's Pond area and noted that there would be less cutting in the area than originally anticipated. He discussed the square footage of the proposal - presently 7,998 sq. ft. enclosed 2,888 porches and decks; proposed: 8,779 sq. ft. added enclosed, 5,723 sq. ft porches and decks; total 16,773 sq. ft enclosed and 8,000 decking.

Mr. Pierce then compared proposed usages between FOCUS and residential. He discussed people nights comparison of residential and camp uses.

He felt the proposed changes were more beneficial to the proposal.

Mr. Sargent discussed the issue of development and of residential vs non residential. He discussed the impact being pushed into a shortened period of time. He questioned what the timeframe would be. Mr. Pierce indicated that they would develop to a condensed timeframe.

Ms. Greene discussed question of run-off near vernal pool. Mr. Pierce discussed the run-off near the vernal pool and how they planned to slow down the run-off and direct it away from pool.

Mark Hutker further explained how the drainage would work. A discussion of alternative routing followed.

Mr. Colaneri questioned whether the Conservation Commission had made any comments regarding the proposal.

Mr. Pierce discussed the comments of the W. Tisbury Conservation Commission.

A discussion of when the Conservation Commission had made its comments followed.

Mr. Hutker discussed exactly what the Conservation Commission had been shown.

Mr. Early questioned the calculation of square footage. Mr. Hutker explained what was included.

Mr. Early questioned why the office building had not been included. Mr. Hutker explained where that number could be found. Mr. Early questioned the drainage and maintenance of the playing field. Mr. Hutker explained the type of grass cover and also the drainage aspect of the field.

Mr. Early then asked about the maximum capacity of the facility. Mr. Hutker indicated 93 permitted now with 110 proposed.

Mr. Briggs questioned the slope of the land around the playing field. Mr. Hutker explained the lay of the land and the direction of the slope.

Ms. Rubinoff questioned the width of the driveway. Mr. Pierce noted that it would be 15 ft. developed with existing grass shoulders.

Ms. Rubinoff then questioned the distance to the vernal pool

Mr. Hutker indicated 30-40 feet.

Ms. Rubinoff then questioned the location of the septic systems. Mr. Pierce discussed this matter indicating that there may be need for pumping in certain areas. A discussion of which of the existing systems met Title V followed.

Mr. Briggs questioned evening activities. Mr. Pierce noted that all nighttime activity would be indoors. He then discussed the lighting as site as site specific.

Mr. Briggs questioned whether there would be any lights on the recreation areas. Mr. Pierce indicated none including none on the pavilion.

Mr. Best questioned the amount of wetlands in the West Tisbury by-law. A discussion of the amount of dry land was required in the By-law. Mr. Pierce indicated that there were approximately 4 acres of wetland out of 23 acres.

Mr. Sargent questioned whether there would be a limit to the time of usage. A discussion of this matter followed.

Ms. Sibley questioned the calculation of year-round usage. A discussion of this matter followed.

Mr. Colaneri raised a question of people-nights. A discussion of this matter followed.

Ms. Greene questioned whether the pavilion will be used now given an early use restriction commitment. Mr. Pierce indicated that the fireplace may not be built now.

Glenn Provost read a letter from Kent Healy regarding nitrogen issues and waste water problems. He then discussed the issue of denitrification systems. A discussion of this matter followed.

Ms. Sibley then called for a staff report. Charles Kilmer, MVC staff, discussed the findings of the staff. He noted that were four areas of concern from the staff - amount of new development and encroachment into the buffer areas, water quality of pond, topographic regrading - drainage patterns, brush cutting. He then discussed the most recent correspondence.

Mr. Best asked for a repeat of the four concerns. Mr.

Kilmer repeated them.

Ms. Greene questioned the concern of regrading. Mr. Kilmer explained that the concern was that new patterns may be made which would impact the wetlands. Mr. Hutker further explained how the fields would be graded.

Mr. Colaneri questioned the issue of nitrate impact and whether the development was near full build-out. A discussion of this matter followed.

Ms. Rubinoff raised an issue regarding using denitrification systems. Mr. Wilcox discussed this matter further. Ms. Rubinoff then asked if there were problems when systems were allowed to "rest" during the winter. Mr. Wilcox also discussed this matter.

Mr. Best questioned whether there was a calculation for the amount of total disturbed area. A discussion of this matter followed.

Ms. Greene asked if there was any time frame to the construction. Over a three-year period was the response.

Mr. Early questioned whether there was any comment from the fire dept. None that anyone had seen. Mr. Early indicated what he felt the Chief would be seeking. A discussion of what was being considered followed.

Mr. Best noted that the Conservation Commission may ask for wetland replication. A discussion of this matter followed.

Mr. Sargent questioned whether there was any extension of the Wetlands Act in West Tisbury. A discussion of this matter followed.

Ms. Sibley then called for town board input.

John Alley, Board of Selectmen, discussed the plan and the need to address community and neighborhood concerns and the need to consider an impact fee to offset burden to town.

Ms. Sibley then called for those members of the public in favor - there were none.

Ms. Sibley then called for those members of the public against.

Mary Paine discussed the issue of noise pollution, water pollution, habitat destruction and the need to reduce the size.

Sarah Murphy discussed the issue of noise pollution.

Teri Young questioned whether noise can be permanently controlled.

Nancy Luderman discussed the issue of noise pollution and traffic issues on Lambert's Cove Road.

Tucker Hubble discussed a letter that had been submitted regarding nitrates. He then discussed the comparison between homes and the camp proposal. He discussed the location of the playing fields, their size and buffering. He discussed the increase in the size of the proposal and further discussed the usage of the Royce property. He further discussed the Royce property and how it is being asked and felt that it was an integral part of the proposal. He hoped that they would not be allowed to use Wintergreen Lane for any travel access.

Mary French discussed the issue of growth in the area. She questioned the planting of cedar trees as a buffer. She discussed concerns for the construction of the recreation areas.

Ms. Sibley then called for general testimony:

An unidentified person questioned whether there would be a possibility of 110 persons year round. Mr. Hutker noted that only 68 beds would be in winterized units.

Mr. Colaneri discussed the issue of the Royce property being part of the application.

An unidentified person questioned how one controlled and monitored the use of the playing field.

Tucker Hubble questioned whether the application could be withdrawn and resubmitted with the Royce property included. Mr. Early expressed his feelings regarding this issue.

Mr. Sargent further discussed the matter of square footage of the proposal and questioned whether the quarters were cramped. Mr. Pierce noted that the major need was for a dining hall.

Ms. Sibley then called for Applicant summary.

Ms. Gallagher questioned how the bunk houses were separated. Mr. Pierce explained the current set up.

Mr. Pierce discussed the issue of the Royce property and whether it should be considered. He indicated that FOCUS was open to having the Royce property as part of the discussion. He further discussed the amount of usage of the Royce property. He discussed the legal usage of Wintergreen Land and how they planned to address the matter. He then discussed the noise issues and the use of the playing fields. He then questioned what impact they would have on the Town and thus the need for an impact fee. He then discussed the intensity of use being proposed and how they were meeting the local standards for septic matters. He then noted that nothing being proposed was not permitted in the area.

Mr. Colaneri asked if the Applicant would be willing to have the Royce property made a part of the review. Mr. Pierce discussed the feelings of FOCUS on the Royce issue. He indicated hesitation to say yes to the question.

Mr. Briggs questioned whether this was the largest project ever undertaken by FOCUS. A discussion of this matter followed. Mr. Pierce discussed potential future plans elsewhere in the country.

There being no further testimony the hearing was closed at 9:46 pm with the record remaining open for two weeks.

Edgartown, Mass. April 25, 1995  
 at 8 o'clock and 55 minutes A M  
 received and entered with Dukes County Deeds  
 book 653 page 505

Attest:

*Deanne E. Powers*

Register

MINUTES OF 23 MARCH 1998

LAND USE PLANNING COMMITTEE

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LUPC was called to order at 5:30 pm on 23 March 1998 at the Martha's Vineyard Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs by MVC Chairman Michael Donaroma.

In attendance were: M. V. Commissioners Christina Brown, Michael Colaneri, and Michael Donaroma; Staff Thom Simmons; Applicants Joey Pierce and Mark Hutker (FOCUS) and Alan Schweikert and Kristin Reiman (Lagoon Ridge Associates).

**DRI #393 - F.O.C.U.S. - SITE PLAN REVIEW**

Staff gave an overview of the FOCUS approval process, and distributed copies of the original decision which included a condition for LUPC site plan review.

Mr. Pierce pointed out the condition which required that the girl's dormitory be moved as far as possible from the vernal pool. FOCUS was proposing to fill this condition by detaching the dormitory entirely from the building known as the "Barn," and moving it to the site formally approved for the chapel, out of the vernal pool buffer zone. He explained that the dormitory would need to be slightly larger than proposed, and the barn would need to be extended by approximately 12 feet. Mr. Hutker added that FOCUS remains bound by the number of beds as originally approved by the MVC decision, and that here is a net reduction in building in the vernal pool buffer zone. He distributed copies of a letter from the West Tisbury Conservation Commission in support of the arrangement.

Mr. Simmons reviewed the conditions of the decision and pointed out that FOCUS had complied with most of the conditions which they needed to at this point, except that vegetation had not yet been planted to protect one of the vernal pools. He also explained to Committee members that they could view the proposed changes as a proposal to comply with the condition of the decision, and approve or deny them; or, if they thought there was too much change from the original decision, they could view the changes as modifications and bring them back to the full MVC.

Commissioners discussed the road to the Royce house and its use; drainage in the area of the proposed girls' bunkhouse, and square footage of the buildings.

Mr. Colaneri moved that LUPC approve the changes, specifically: the re-siting and enlargement of the girl's bunkhouse on the site formerly proposed for the chapel; the extension of the "Barn" by 12 feet; and the relocation of the chapel to the new proposed location, with the following conditions:

1. The MVC decision condition requiring vegetation near the

vernal pools shall be complied with prior to any construction on the new buildings;

2. All roof runoff from the new girls bunkhouse shall be directed away from the vernal pool and directed towards the field where the septic system is located. Final building plans shall be submitted to the MVC.

The motion was seconded by Ms. Brown and approved unanimously.

#### **LAGOON RIDGE ASSOCIATES - INQUIRY**

Staff explained that the applicant owns 36 acres between Barnes and County Roads in Oak Bluffs, but is only seeking to carve out two small, 60,000 square feet lots. He explained that this will come to the MVC because of the new checklist item requiring all subdivisions activity on lots greater than 30 acres to be reviewed. Staff asked Committee members for direction as to the extent of application materials to be required from the applicant once he was referred: should we require information on the entire 36 acre parcel, or only on the two lots being proposed?

Mr. Schweikert gave a brief history of the lots, its relationships with other area developments by the family of Hope Tower. He explained the effort to cut out two small lots to raise capital to plan the rest of the lot sometime in the future.

Commissioners expressed dissatisfaction with the proposed straight entrance road and "highway look," and referenced the curving nature of subdivision entrance roads in nearby development. Members felt that it would be important to show driveway accesses in light of its location in the Roads DCPC, 10' contours on at least the two small lots, and a perimeter plan of the entire lot. They felt that the "usual" information was needed on the small lots, but some general information on the entire parcel would be required as well.

Respectfully submitted,



Thomas R. Simmons  
Administrator