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Minutes of the Commission Meeting Held on April 17, 2008 In the Oak Bluffs Senior Center 21 Wamsutta Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: (P = Present; A = Appointed; E = Elected)

P James Athearn (E – Edgartown)	P Ned Orleans (A – Tisbury)
P John Breckenridge (A – Oak Bluffs)	P Jim Powell (A – West Tisbury)
P Christina Brown (E - Edgartown)	P Doug Sederholm (E – Chilmark)
- Peter Cabana (A – Tisbury)	P Susan Shea (A – Aquinnah)
- Martin Crane (A – Governor Appointee)	P Linda Sibley (E – West Tisbury)
P Mimi Davisson (E – Oak Bluffs)	P Paul Strauss (County Comm. Rep.)
P Mark Morris (A – Edgartown)	P Richard Toole (E – Oak Bluffs)
P Chris Murphy (A – Chilmark)	- Andrew Woodruff (E – West Tisbury)
P Katherine Newman (A – Aquinnah)	

Staff: Mark London (Executive Director), Paul Foley (DRI Analyst/Planner), Bill Veno (Senior Analyst), Christine Flynn (Affordable Housing Planner)

The meeting was called to order at 7:30 p.m.

1. VINEYARD GOLF CLUB: DRI 485M5 – PUBLIC HEARING (CONT.)

Richard Toole opened the public hearing. At the request of the applicant, the public hearing was continued to May 1, 2008.

2. MOUJABBER ADDITION: DRI 607 – PUBLIC HEARING

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, M. Morris, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, P. Strauss, R. Toole

For the applicant: Joseph Moujabber (Applicant), Matthew Iverson (Lawyer), Peter Pometti (Architect)

Richard Toole opened the public hearing and read the hearing notice for the proposal to build an addition on the existing five bedroom house.

2.1 Staff Report

Paul Foley gave the staff report.

- The proposal will require a Building Permit, a Certificate of Appropriateness from the Copeland District, a Special Permit from the Zoning Board of Appeals, and review by the Cottage City Historic District Commission.
- The site is in a residential neighborhood which abuts a business district.

- The applicant is proposing to demolish the exiting partially-constructed garage and is seeking approval for an addition to the house based on the Commission's North Bluff Character Analysis.
- The applicant met with the Cottage City Historic District Commission for an informal review in January. They are scheduled to meet again.
- The existing main house is 2,074 sq. feet of living space. The proposed addition would be 1,589 sf of living space (1,883 gross sf) for a total house size of 3,663 sf of living space (4,500 gross sf).
- The proposed addition would be 77% of the size of the existing building.
- The footprint of the existing building is 1,352 sq. feet, plus the detached garage.
- The project was referred as a discretionary DRI referral. The applicant has challenged the DRI designation but has been working through the application process.
- Issues include the project's highly visible location. Private and public views have been impacted by the existing structure.
- Proposed landscaping calls for low shrubs for foundation plantings, pine trees and an evergreen hedge.
- The applicant is proposing two curb cuts. The driveways would accommodate approximately five vehicles.
- The proposal does not trigger the affordable housing policy.
- For building massing, they've been using the guidelines that the Commission received from the Cottage City Historic District Commission.
- The Historic District Commission met on January 23rd. Some of the concerns were about the tower, mass and scale, eliminating shed dormers, and matching windows.
- Most of the letters the Commission received were about the garage. The president of the North Bluffs Homeowners Association outlined other concerns.
- Paul showed a slide show which included plans and a perspective sketch.
- The current building has five bedrooms. The new building would have five bedrooms.
- The proposal includes two terraces.
- The driveway will be about two cars deep.

2.2 Applicant's Presentation

Matt Iverson, an attorney representing Mr. Moujabber, clarified the following.

- The first step would be to demolish the existing garage structure.
- The second step would be to construct an addition.
- The house is currently a five-bedroom single family house. After the addition is complete, the house would be a five-bedroom single family house.

Peter Pometti, architect, presented information about the addition.

- One aspect of making the decision to tear down the garage was that the garage was at an elevation that was four feet higher than the existing house. One of the goals was to create an addition at the same elevation as the existing house and drop the height.
- They reconfigured the existing house to accommodate the addition.
- He described the new layout of the house, the layout of the addition, and the decks which are within the footprint of the house and not cantilevered out.

- In the addition, they're not using the big sliding glass doors of the garage. They are responding to the Cottage City Historic District Commission suggestion and using double windows and gabled dormers, with proportions and detailing similar to the existing house.
- By lowering the house, they are able to drop the siding down relative to existing grade. One of the comments had been why couldn't they drop the profile of the addition. In trying to keep with low pitches of the existing house, they had to keep the same ridge line of the existing house so they could unite the addition to the existing house.
- They have added a tower to get a water view and to add a focal point where the two structures met, while minimizing the size.
- He showed photographs of the existing structures and renderings of the addition.

John Breckenridge asked the height of the existing garage.

2.3 Public Officials

Kerry Scott, speaking on behalf of the Oak Bluffs Selectmen, stated that the Board of Selectmen has shown steadfast resolve to somehow resolve this issue.

- It's important that the Commission is hearing this.
- She thanked Commissioners for their help. It's important to find a resolution that the neighbors can live with.

2.4 Public Comment

Stephanie Kiefer, representing the Naperstak and Reid families, neighbors on Pasque and Saco Avenues, stated that the Commission should be aware that the court has issued some decisions but all parties moved to appeal the decisions.

- In March, Commissioner Brown asked for a perspective on how the property stood in relation to Pasque and Saco and the ferry. In response, Ms. Kiefer submitted photos, including some from 1980 and 1974, showing a much more open perspective before the garage structure.
- The application isn't how the garage can be made to fit on the property. The application should be viewed as a new application for a new addition.
- The photographs show how something of similar size and bulk as the garage structure can impact the public and private views.
- The footprint of the addition is double that of the existing house. The living space is going to be approaching an 80% increase. Any addition is supposed to be appropriate in size and mass.
- She doesn't see that the size of the April submission has changed from the January submission. Details have been addressed but the building needs to take into account lot size and the existing neighborhood.
- The tower may be higher than the existing garage.

Charlie Miner, Oak Bluffs resident, is happy to hear that the garage will be torn down.

- The tower definitely appears to be tall and to be out of character and scale and stands out.
- The architect said the tower gives the place water views. He's sure that the house has other water views.

- The size of the addition is very, very large and takes up the footprint and takes up the mass. It looks better than the garage, but he's not sure that Oak Bluffs wants to have that kind of mass in that location.

Don Gregory, Oak Bluffs resident, said that if the garage is actually an illegal structure as Ms. Kiefer said, it would be gone by now. The owner said he would tear it down.

- The plans seem to be nice. He doesn't see many houses that will match this one in adding to the beauty of Oak Bluffs.
- Something that bothers him is referring to the structure as Garage Mahal in connection to an owner who is Lebanese. He finds it insulting to Oak Bluffs which has a history of treating people equally.
- The owner may have made some mistakes but he hears that the town made a couple of mistakes in getting to this point.
- This is a pretty nice structure and he hopes the Commission will be fair.

Jonathan Revere, West Tisbury, is concerned about questions of neighborliness and privacy. The new design doesn't respect the privacy of the neighbors and violates that privacy.

Patrick King, Oak Bluffs, abutter and neighbor of the hospital, said he's going to be curious about the Commission's attitude when it has already been approved unanimously a 60 foot tower on top of 12 feet of fill.

- He doesn't have an opinion on this project. He's just looking for fairness and consistency in Oak Bluffs.

Abe Naperstak, abutter, said he doesn't support the plan.

- He feels they are adding the tower so the Commission has something to take away.
- He doesn't trust the applicant. The applicant doesn't have credibility in terms of what he says they're going to build and what they actually build. Nancy's and the garage addition are two examples.
- He asked how the Commission can enforce what it approves.

James Cippolo is speaking in support of the addition.

- He thinks the applicants are an asset to the community. They're only trying to improve the area and make a beautiful gem out of this place.
- He thinks the town needs to work to be behind the project and he hopes the Commission sees their way to supporting the proposal.

Doug Smith, Oak Bluffs resident, has been watching the issue for a couple of years. This seems like a good compromise, and he trusts the applicant very much.

Jason Lew said that this project seems like the emperor's new clothes. The garage was built on a lie. It was deemed to be illegal and is to be torn down. Now we're discussing a gigantic structure that dwarfs the structure that was deemed to be illegal.

Steve Auerbach said he thinks the Commission has to view this as if the garage had never taken place. It's as if the applicant is wishing to put an addition on and the Commission has to decide whether this addition is legal, proper in scale, historically and architecturally. It's probably difficult to be objective about it. He wished the Commission good luck.

Bill McGrath, Oak Bluffs, said this reminds him of Washington, DC, where people would buy a little house, tear it down, and build a new huge house right to the lot line. And pretty soon there was no grass or breathing room. This is what this seems to do. There doesn't seem to be any breathing room.

Valerie Naperstak, president of North Bluff Neighborhood Homeowners Association, said that before the LUPC meeting she submitted a letter with concerns. She wanted to address outstanding concerns in spite of the new plan.

- The plan still exceeds the mass, height, and size that's appropriate for the neighborhood. The plan is an improvement but it still degrades views.
- It's similar in height and mass to what was built.
- The collection of buildings that this abuts is craftsman's cottages. This is out of keeping with several elements of craftsman's cottages, particularly the decks and tower.
- From a noise standpoint, they already get a lot of noise from the porch facing the ocean. The two decks facing in the other direction will be quite a racket for the whole neighborhood.
- Resident views will be blocked by the structure. They've submitted views from within her house where they used to be able to see the ferry and water. They now see a massive structure and this addition will be a massive structure.
- Another issue is Island morale. It's been debilitating to Island morale to have this structure standing for four years.
- They're concerned about what it feels like to have this. They don't want this, the legal bills, the time, and aggravation, but it's been worth it to fight this for their town.
- The proposal isn't a compromise. It's the same thing, a little bit nicer.

Ginny Gregory, Oak Bluffs, commented that it would be nice if it were 1980 and there weren't all these goings on.

- She lost her view to the Lagoon because a \$2-million house was built.
- Realistically, she thinks this is a good compromise. It's smaller and more in keeping architecturally, and it's time to give.

Doug Ruskin, Edgartown, said it seems that there's something backward. There's an illegal structure. It seems like the Island, Town, and Commission is being strong-armed. He's not judging the quality of the applicant's addition. The applicant should start with removing the structure and reapplying.

Buddy Bettencourt said the applicant has done a perfect job of creating an addition. Let the applicant put this project together and bring it to an end. It's been going on long enough.

Mark London asked Commissioners to submit questions to be forwarded to the Applicant. He also suggested that the applicant apply to other town boards – notably the Cottage City Historic Commission for architectural detailing – and get initial feedback before the next Commission meeting; no other board can make a decision before the Commission is done, but that doesn't stop application to and review by other boards.

Peter Pometti confirmed that the 2,776 sq. foot footprint includes the front porch.

The Cottage City Historic District Commission meets May 14th. **Richard Toole** continued the public hearing until May 15th with the possibility of continuing it to May 22nd.

3. BRADLEY SQUARE: DRI NO. 612 – PUBLIC HEARING (CONT.)

Commissioners present: J. Athearn, J. Breckenridge, C. Brown, M. Davisson, M. Morris, C. Murphy, K. Newman, N. Orleans, J. Powell, D. Sederholm, S. Shea, L. Sibley, P. Strauss, R. Toole

For the applicant: Philippe Jordi (Island Housing Trust), Pat Manning (IAHF),

Richard Toole re-opened the public hearing.

Doug Sederholm said the Applicant called and said they had concerns about a pre-existing friendship between a staff member and one of the abutters to the project.

- On Martha's Vineyard, it is unavoidable that people are going to know each other.
- Commissioners and staff try very hard to be objective and take in everything that everyone says.
- He clarified that staff assists with getting information to Commissioners, but it is the Commissioners who make the decisions, and they try their best to give everyone a fair shake.

3.1 Staff Report

Paul Foley gave the staff report.

- New information includes:
 - The traffic report,
 - An analysis of the sizes of buildings in the neighborhood,
 - Offers from the applicant,
 - A list of letters,
 - New letters, plus four or five letters received this evening,
 - A pro forma from the applicant, and staff's analysis,
 - A copy of the applicant's form A subdivision.
- Issues to review include the zoning, history, scale and massing, and traffic.
- The zoning administrator of Oak Bluffs has two concerns about zoning, which would have to be clarified by the Zoning Board of Appeals.
 - Moving the Bradley Building to create a cultural center in the residential district may not be allowed in the residential district. Only educational and religious uses are allowed. If it were not considered an educational or religious use, it would require a variance and Oak Bluffs is not giving variances for use.
 - The second issue is the extension of the B-1 use into the R-1 section of the divided lot for the sole purpose of eliminating setback requirements.
- Staff was told that the applicant may pursue a 40B, but they will clarify that.
- Regarding massing, all three buildings are designed as 2½-story buildings.
 - There are two other buildings in the neighborhood of similar height and form, but most houses are considerably smaller.

- The building design makes use of several techniques to attempt to minimize the visual impact of the massing.
- Because the main building is set back only 10 feet from Dukes County Avenue, less than most other similar buildings on that side of the street, this building would be more visually prominent looking up and down the street.
- The architecture is similar in design and character to other buildings in the area.
- Letters are summarized in the staff report.
- A setback map shows the proposal with the three buildings and existing business district zoning and extension of the business district. If the business district were extended 30 feet, the proposed Bradley 2 would be within the business district. If the Denniston Building were left where it is it would be almost wholly within the extended business district.
- A map shows proposed trees to be saved and planted.
- Staff looked at parking throughout the area and counted about 80 spaces out about 5 blocks.
- The landscaping plan and site plan are included.

3.2 Applicant's Presentation

Philippe Jordi, Executive Director of Island Housing Trust, responded to questions asked at the first part of the public hearing.

- He showed a photomontage of elevations.
- The pro forma analysis shows \$5.1 million as the project cost, with \$900,000 in land costs, \$3.4 million in hard costs, \$600,000 in soft costs, and \$200,000 in contingencies. Revenues include \$3.4 million in the sale of 12 residential units, \$1.7 million in grants and \$400,000 in CPA funds, leaving \$1.3 million for fundraising.
- A scaled-down concept was submitted by a neighbor. It included one Bradley Square Building, the Denniston Building and two 1½ story single-family houses with no off street parking.
 - An analysis shows a shortfall of \$631,230 in addition to the \$1.7 million fundraising, with two fewer units.
 - The two single-family units wouldn't be allowed under town zoning by-laws.
 - 12 fewer off street spaces and increased setbacks would be inconsistent with the surrounding neighborhood.
 - In response to a question from Paul Foley as to whether the single-family homes at 80% AMI would be allowed by Oak Bluffs Zoning Section 4.3.2, Philippe said he's not aware that this could be allowed and said that would not be economically feasible.
- The height, square footage, and footprints meet Town zoning by-laws.
- Use plan shows that the working portion of the live/work units equals 190 sq. feet, which are considered incidental secondary home business use. The residential portion is about 746 sq. feet. Under the building code, it would be considered a residence with a home business.
- The net square footage of the sanctuary space is 513 sq. feet. That space can accommodate up to 74 people.
- The size and height of the current 2½-story Denniston building is 33' 6" which is similar in height and scale to other 2½-story buildings such as the rectory on Circuit Avenue,

which is 4,207 sq. feet. The property across the street from Bradley Square, 99 Dukes Avenue, is 32 feet high. Just recently a 2½-story building was erected.

- The kitchen in the basement of the Denniston Building is not part of the DRI application. Any specific proposal for a kitchen would go through future DRI review.
- Information was provided for the management of the Bradley building, including a copy of the master ground lease, the master deed, the affordability restrictions, resale descriptions for the Denniston Center and office, condominium membership documents, the master deed for the use and management of the property, and other documents related to parking, fees, and oversight.
- Information was provided on a schedule of potential events. The Island Affordable Fund will continue to own and manage the Denniston Center until such time as another non-profit steps forward to purchase and manage the space. An African American congregation of 15 to 20 people has expressed interest in using the center, for year-round worship and Bible study twice a week. The NAACP has expressed interest in using the center for monthly board meetings for 12 community members.
- The Denniston Building needs to be moved approximately 70 feet for excavation of a full basement as well as an outdoor community green space. The construction of a basement and foundation would be more difficult and more costly at the existing location.
- The affordable housing is being proposed in a business district because the Oak Bluffs by-laws allow for it. The design committee also felt the construction of the two Bradley buildings would greatly enhance and serve the Oak Bluffs Arts District.
- Retaining the two trees along Dukes County Avenue would require moving one of the buildings 10 feet, which would reduce the natural light between the buildings, eliminate the green space, as well as eliminate another tree. The DPW confirmed that trees would have to be removed for the sidewalk that is to be constructed by the Town.
- The applicant doesn't have the right to cut the trees in the right of way. The Oak Bluffs tree warden makes recommendations to the Selectmen.
- Certain limits will be placed on the use of the Denniston Center to reduce impact on the neighborhood, including hours of operations and adopting the rental policies of the Martha's Vineyard Preservation Trust.
- Parking for the Denniston Center will be on and off site. A Town off-site shuttle bus will be serving Dukes County Avenue in the summer. If the Town parking shuttle bus is not available, private shuttle bus service will be provided for off-site parking. The applicant will be making annual payments to the Town's parking mitigation fund. The project planners will also collaborate with Oak Bluffs to develop a traffic plan for the area.
- Financial implications of reducing the number of units will result in an increase of approximately \$130,000 per unit that will have to be raised to cover the gap between costs and total revenues.
- The implications of keeping Denniston where it currently exists would alter the master plan for the lot, which has the four artist live/work spaces on the ground floor closest to the Art's District center. Changing the plan would also prevent Bradley 2 from being permitted because it would not be allowed in the residentially zoned district.
- Run-off from gravel parking can be directed across the lawn vegetation. The revised landscaping plan shows the type and diameter of trees.

- Dimensions of the proposed recycling areas are provided.
- The Architectural Access Board was asked to look at the live/work spaces. The spaces would not be commercial because the artist space is considered secondary.
- The Bradley Design Committee has placed historic significance as a high priority in the design process.
- Bradley Design Committee meetings were posted and open to the general public.
- 25 cars generated by the project would be served by the on-street parking spaces in the neighborhood. Off-site parking is available at the school in the summer season, served by the shuttle system.
- The width of recommended sidewalks is 5 feet, but the final design will be amended by the Town to be consistent with existing sidewalks. If the Town doesn't install sidewalks, the project will install a sidewalk or walking path and on-street parking for six cars.
- Lights from parking will be mitigated by a 6-foot wooden fence along the back.
- There are a lot of written offers.
- The questions and responses are provided in writing.
- Shuttle busses will serve the larger functions. The functions have not been specifically identified. The Church and NAACP functions will be less than 30 people.

Linda Sibley pointed out the difficulty of permitting functions that haven't been specifically identified.

Mark London repeated that the offer was that the maximum capacity of the meeting room is 74 people and that the trigger for use of the shuttle bus would be any event with over 30 people.

John Breckenridge noted that Oak Bluffs hasn't made a specific decision about the satellite parking, except to fund the trolley for this year. He would like clarification on the Oak Bluffs planning process for traffic and parking.

3.3 Traffic Report

Charlie Crevo explained the traffic study.

- The study was based on the project specifications and traffic counts.
- They did counts at three intersections in the neighborhood: Dukes County and Vineyard Avenue; Dukes County and Masonic Avenue; and Circuit and Pocasset Avenues.
- The traffic counts were done over eight days at the end of March. Turning counts were done at the three intersections at morning and evening peak hour and mid-day Saturday.
- They used the March numbers and used a Martha's Vineyard factor to project them to a 2008 summer daily average. The information was then projected forward to the 2010 built condition.
- They determined how many trips the project would generate and added those in.
- They projected the level of service at the three intersections. Each of the three intersections at the three times is at Level of Service A.
- The trips from the cultural center were difficult to estimate, but they assumed 74 maximum would generate at least 25 trips per event.
- They analyzed sight lines and found no problems with the needed 110 feet sight lines for 30 miles per hour, except where traffic exits from Masonic onto Dukes County. Because the

building on the corner is so close to the street, cars exiting Masonic are half way into Dukes County Avenue before they can fully see down the street.

- Accident data shows five crashes in a three-year period at the Masonic Dukes County intersection, four were angle collisions. There were two person injuries and two property damages. The rate for that intersection is 0.5, one fourth of the crash rate for the Vineyard as a whole.
- Parking is calculated at 1.5 persons per dwelling unit. The demand that is generated by the dwellings is 12 – 18 spaces. The plan shows 15 spaces. For the entire project, based on 74 persons at an event, the demand is estimated to be 44 spaces. There are 8 to 9 spaces.

Mimi Davisson asked about factors used to extrapolate traffic counts from March to summer.

Charlie Crevo said the average extrapolation is a factor of 2.6, plus 2% per year to project to 2010.

Linda Sibley said the report appears not to include parking needs for the live/work spaces. **Mark London** noted that 1.5 persons per dwelling unit were used, instead of a lower number that could have been used given the project's proximity to downtown, in order to accommodate the extra trips to the live/work spaces.

Doug Sederholm asked how many spaces were found in the general area. **Charlie Crevo** said between 80 and 180 spaces, though it is impossible to know how many spaces might be available during the summer. Anecdotally, there are very few open spaces during the summer.

Jim Athearn asked about whether some of the parking spaces are on public land. **Charlie Crevo** said that there is a forty foot right of way and a twenty foot road; parking is allowed as long as it doesn't block the traffic.

3.4 Public Officials

Renee Balter, Cottage City Historic Commission and Traffic and Parking Committee, reiterated that they voted unanimously to support the project.

- When the Affordable Housing Trust bought the property and made its plans, the Historic Commission was thrilled. The building is remarkable and has an important place in the history of Oak Bluffs. It will be preserved and will be getting public use.
- The Parking and Traffic Committee received support for the shuttle bus at Town Meeting. Oak Bluffs School parking could be incorporated into a plan.
- The history of Oak Bluffs is that the big events take place there. Thousands of people come in and the town is mobbed, but everyone clears out eventually.
- The Master Plan says that business should be contained in the B1 District, approximately eleven acres. There are close to 1,000 houses surrounding the eleven acres. Parking is difficult for two and a half months, but it does work.
- The events that take place in the Arts District are for two or three hours. Having artists live in the neighborhood keeps the area vibrant. She's so glad that these spaces could be available to artists.
- She thanked Commission members for their time and effort.

- The shuttle bus program was recommended to the Selectmen. Town meeting approved a \$20,000 expenditure for this year. It's too early to know whether the shuttle bus will be on-going. Future funding could come from parking violation fees.

John Breckenridge asked Renee Balter to quantify the number of spaces available at the satellite locations. He asked for the amount of the project's contribution to the parking mitigation fund.

Mark London asked Renee Balter to comment on moving the house and adding the dormer.

- The Cottage City Historic District encourages people to keep a house in its original style and they've done that with the project.
- The Historic Commission encourages moving buildings and doing anything to save the building, so this would be acceptable.
- The Oak Bluffs Historic Commission is comfortable that the historic style is preserved.

Kerry Scott, speaking as a Selectman, but not for the Board of Selectmen, spoke to a number of issues.

- The \$20,000 trolley was not discussed by the Selectmen before it was put on the warrant. It was approved. At no time was it represented specifically to serve this neighborhood and this project. There's no reason why it can't. She doesn't want Commissioners to have the impression that the shuttle was another vote in support of the project.
- The town meeting voted to support the project because it was affordable housing, not because it was for the Arts District. It was important for the people who voted for the \$400,000 CPC funding that there be a very strong Oak Bluffs provision.
- The Selectmen have paid a lot of attention to neighborhood integrity. This neighborhood is home to hundreds of people who are apprehensive about the impact of this project on their neighborhood.
- She has reservations about this project, only because it might be too much of a good thing.
- There's no question that this parking issue constitutes an intrusion into the neighborhood.
- This neighborhood has been mischaracterized. Its home to a lot of people and it's a stable neighborhood, and it should not be characterized as a blighted neighborhood.
- The home business aspect of the project troubles her. Home businesses are not allowed to be retail. Home business zoning does not allow retail sales.
- The number of parking spaces needs to be more specific.
- She asked Commissioners to remember that this neighborhood is home to many people.
- As Chair of the Board of Selectmen, she did everything she could to cause this project to be reviewed and stand on its own merits. She supported the 40B referral with the assurances that the project would go through all the checks and balances that exist, and was assured that 40B would not be used as a tool to avoid the local review process.
- She is personally troubled to use the \$400,000 CPA funding for a private project, but she didn't lobby against it.
- Oak Bluffs residents have been given lots of opportunity for this project to be aired but the Selectmen haven't yet reviewed it.

Ron DiOrio, speaking as a Selectman, but not for the Board of Selectmen, said this process was an attempt to align the NAACP, the Arts District, and the Town to do something meaningful for the community along the lines of smart growth.

- He indicated that the meetings had to be posted and public. On numerous occasions people did attend.
- This is a classic example of smart growth. The proposals had been to demolish the building. In the process of retaining the historic building, the community came together.
- The CPA money is 8% of the project.
- Oak Bluffs will get an infusion of over \$5 million with this project. He believes that it's going to be an anchor for the neighborhood.
- He urges a strong positive review of the project.

3.5 Public Comment

Candace Nichols, speaking for David Perzanowski, clarified that he had had a purchase and sale agreement for the property for \$870,000.

- He was upset when he heard some of the misrepresentations that had been made by the applicants about his proposal. He had a plan to build two buildings on the site.
- As he became aware of the church and its history, he made people aware that he would not tear the building down. His plan was to give the church to whoever wanted to move the structure, or to preserve the structure. His intent was to retain the interior until it was taken over by someone and showcase items in the pharmacy.
- Even after he scaled back the pharmacy to a one story building, he was confronted by a group who didn't like the plan. He didn't want a fight. If he had fought, there would be a one story pharmacy, a three or four bedroom home, and a non-profit group in the church.
- Unlike this proposal he would have had adequate parking.
- His budget did not exceed \$1.5 million.
- He loves Oak Bluffs. He is saddened by the current state of affairs. He would have loved to provide pharmacy to the Town of Oak Bluffs. The church would not have been compromised or destroyed under his watch.

Robert Wheeler, co-president of Island Affordable Housing Fund, supports the project unequivocally. He has an indirect vested interest in the project, as does everyone else.

- Developing affordable housing is crucial to the people of the Island. Keeping young people and old families on the Island is important.
- This is an excellent opportunity for smart growth. Smart growth concepts are used throughout the project.
- A community-based planning committee was utilized and they had ten open meetings to solicit community input into the final design.
- The project responds to the Oak Bluffs Community Development Plan.
- He urges approval of the project.

Taylor Montgomery said this project is unarguably a good idea. His concern is that it is a large project within its bounds.

- He thanked the applicant for consideration of his suggestions.
- He is still concerned with the service road and setbacks and lack of privacy.
- Overall it's a great thing, but it's overboard for its area.

Judy Drew Schubert, owner of Periwinkle Studios, said she feels that the issue that is upsetting everybody is change.

- This will be a big change. She thinks this will be a good change. She is happy and grateful that the planners are thinking about Oak Bluffs and Island artists.
- She and her husband tried to buy the lot and do a similar project, but the sellers didn't approve the project. The Island Affordable Housing Trust is the next best thing.
- The proposed visual changes are great.
- There will be functional changes and the applicants have been paying more attention to that.
- She is concerned about resident parking. That needs to be brought up to realistic standards. Residential parking shouldn't be left up to chance. On street parking should be left for visitors.
- Many houses in the area don't have parking. They were built up before cars were what they are today. New construction parking needs to be built up to today's living standards.
- She hopes a resolution can be found for the residential parking.
- She does want the project to be built.
- She thanked Commissioners for their work.

Marie Allen said she is a very strong proponent for the project. She is representing scores of others who are taxpayers and supporters of the project.

- This project will appreciably enhance the physical appearance of the area.
- They seem to have answered most of the Commissioner's questions.
- This is a great place for artists to showcase their work. It includes affordable housing and a permanent place for the Vineyard NAACP.
- It would be a fitting memorial to the Denniston family who contributed so much to the Island.

Nancy Giordano said several things have been brought up that she has an opinion about, having lived here all her life.

- They have been wonderful neighbors to all of the Arts District residents even when their events caused some inconvenience. This time they have gone beyond the scope of what the neighborhood can handle.
- During weekend open houses, the neighbors have been bombarded with parking, without a care to people's driveways and access.
- She asked to reduce the size of the project. Parking spaces are not available and overloaded parking prevents emergency access.

Marcia Buckley, House of Prayer pastor, said her congregation is interested in the project. They are interested in having a sanctuary there. The congregation is small and has very few cars. She's aware of the parking issues. She is interested in the building remaining a church.

Charlie Miner asked about the church being a non-taxable entity. **Philippe Jordi** clarified that it could be rented out, but had to be owned by a non-taxable non-profit; the owners of the living spaces would be paying property taxes.

Charlie Miner supports the project but has concerns.

- He doesn't like the alleyway.
- He is concerned about the size.
- The Commission needs to look at the three buildings and how they fit into the neighborhood.

- He's also concerned about the parking and feels the Commission has to do something about the parking, not through the mitigation fund.
- Parking needs to be provided for business that the live/work spaces generate.

Sean Ramitar, administrator at the House of Prayer, said they would like to purchase the building once it's renovated.

- They are the remnant of the original congregation.
- They would like the building to remain a church.
- They have Sunday morning service, Tuesday and Wednesday evening meetings, and every fourth Friday evening.

Philippe Jordi confirmed that the sanctuary/cultural center would be part of the condominium project, sold to a non-profit, and remain in the hands of a non-profit, as stated in the Master Plan.

Philippe Jordi confirmed that the NAACP would be purchasing the office space. A non-profit entity would be purchasing the sanctuary. There will be separate entrances.

- The basement would include space dedicated to residential spaces and the office and sanctuary.
- The museum will have a dedicated showcase in the sanctuary.
- Historic integrity will be maintained through deed restrictions.

Mimi Davisson asked if the planners have involved the Brazilian community in the planning of the cultural center. **Philippe Jordi** said they haven't done any specific outreach to the Brazilian community but they've had representation in the planning process from many interests of the Island community as far as the historic integrity of the project.

Arthur Hardy Doubleday, board member of the African American Heritage Trail, said that they have not submitted a letter of support.

- They have some confusion about the overall goals of the project. They also have some concerns about the project.
- The NAACP and the House of Prayer will each have a permanent home.
- The African American Heritage Trail was also promised an office. It seems like the project is trying to be all things to all people. He suggested that the developers need to clarify their goals.
- Everyone wants parking. The church and NAACP meetings will both generate traffic and need for parking.
- Density is an issue.
- The trail was hoping to get permanent space, but there no longer seems to be room at the table.

Sara Crafts said she likes the idea of the project, but not the size of it.

- She wishes the traffic committee could come around on a Saturday afternoon. She can't get out of her driveway and the parking is fierce.
- It's impossible for emergency vehicles to access their houses.
- Traffic is a concern. You can't get two cars down Vineyard Avenue and Masonic when there's parking on one side.

- She wishes that the developers had gone door to door to involve people. People are worried and aren't quite sure what's happening.
- She's heard a lot of invective on both sides. She wishes that people would take a deep breath and step back and remember that this isn't World War III.

Doug Sederholm said that there is a great deal of information available on the Commission website on the calendar page.

Doug Ruskin, speaking for Habitat for Humanity, said they aren't partnering in this project but his comments would be the same if they were.

- There aren't many projects that have such a great mix of use and collaboration among different groups.
- Most affordable housing projects generate questions and concerns. But the entire process goes to alleviate a lot of that.
- There have been ten separate meetings on the project. To the Trust's credit, they have listened and made adjustments.

Carol Jonesness said she has some serious concerns about the project.

- The family has lived on Dukes County Avenue for 47 years. They've had at least five cars totaled.
- The artists' openings created a horrific traffic situation. If this additional piece is added to the puzzle, with the parking situation the way it is, there is the potential for a lot of problems.
- She thinks the artists' district concept is great. But the project is way too big for the area. If the planners down-sized it, everyone in the neighborhood would feel much better.
- A lot of the things have been back-doored. Things have not been up front from the very beginning. We need to be honest with each other and not go behind each others' backs.
- She asked if sidewalks on Dukes County Avenue would eliminate space for parking.

Natalie Dickerson, president of the NAACP, said they have submitted a letter in full support of the project.

- She is happy with the project because it's bringing in a lot of different people who haven't worked together before to create a very cohesive project.
- Oak Bluffs is a really a melting pot. We have more things in common with each other than people in any other community.

Catherine Deese said she has an in-home business within half a block of the proposed project; she had to provide three parking spaces for her in-home business; she wondered if the in-home businesses of this project will have to provide off-street parking; she asked about the percentage of low incomes housing in Oak Bluffs. **Christine Flynn** said 8% of the year-round housing stock is affordable housing; she believes that Oak Bluffs needs another forty units to be at 10%.

Richard Leonard, chair of the Island Housing Trust, thanked the Island for its support for affordable housing. The Island has come a long way in the last five years in taking steps to change. The Island has done well preserving open space, but it also needs to preserve character.

- Doing housing in-town is a good thing. Dukes County is designated a commercial area. The sewer has been placed there. The town has laid out the area for development and change.
- The project moves change prudently.

- Parking is a challenge. This project does a good job providing as much parking as it can. Parking in Oak Bluffs needs to be addressed the way housing has been addressed. The town is trying to work on it.
- It provides ten out of twelve units that will be perpetually affordable. At the same time it creates live/work spaces.

Candy Nichols asked about the price of the sanctuary. **Philippe Jordi** said that they had identified \$200,000.

Patrick Manning, executive director of the Island Affordable Housing Fund, thanked the Commission. The Island Affordable Housing Fund owns the Bradley Memorial Church whose ownership will be transferred to the Island Housing Trust.

- He read a statement, saying that he was asked to come to a community meeting by Ron DiOrio of a group concerned with the imminent destruction of the church.
- After viewing the church, he had a glimpse of the past and was hooked. Over 400 people have walked through the doors of the sanctuary in the past ten months. The Island Affordable Housing Fund raised over \$220,000 in 72 hours from the community to provide the down payment.
- They convinced the family to let developers keep the contents and catalogue them. The NAACP voted to help fund the restoration and then to take residence in the building which will be listed as number 13 on the African American Heritage Trail.
- The church has been a unique situation because they wanted to keep the church the way it looks and keep the sanctuary space as a meeting space. The big thing was to make sure they did not disturb the structure. Members of the design committee said keep the porch the way it is and make the orientation face the road.
- The residents of Oak Bluffs voted \$400,000 to support the project.
- The Island Affordable community is well beyond its primary mission, but it feels like this is doing the right thing for the community.
- Over 47 people have been part of the planning and design process. Abutters who have expressed concerns have been heard. He personally knocked on doors and sent letters out. They have overwhelmingly brought themselves out in the public and said tell us what you want.
- Some people have wondered why the Trust doesn't tear the church down and build all affordable housing. The affordable housing community wants to say something about the community and what they believe in.
- He asked that the project be expedited as much as possible.

Moira Fitzgerald said the original layout of the land was four remainder lots of 5,000 square feet; she wondered if reconfiguring the lot lines and layout could reduce the overall scale of the project.

Richard Toole suggested she talk to the planners.

Holly Alaimo, Dragonfly Gallery, did an inventory of the area.

- On Dukes County there are 26 buildings: 11 are businesses owned and operated by the same person, 3 are empty storefronts, 5 are year-round houses, 5 are summer residences and 4 aren't occupied.
- On Warwick Avenue, there are 4 buildings: 2 are condemned, 1 is unoccupied, and 1 is occupied.

- On Masonic there are 4 buildings: 2 unoccupied, 1 summer residence, and 1 residence.
- There is a total of 31 residences. There are 18 year-round people in the neighborhood. There is one child in the neighborhood. This project will bring life back into the neighborhood.

Larry Schubert said that everyone who spoke against the project mentioned sidewalks and parking. That's the detail he'd like to see worked on.

Donald Muckerheide said the artists do more damage to the neighborhood because the studios are seasonal.

- The project impacts people at least 1500 feet away from the site, not 300 or 500 feet.
- Basically the project needs to eliminate a building and build parking.
- He will be proposing a project nearby, but all parking will be on-site. You should have enough parking for whatever you build. You should avoid creating the chaos of downtown.
- The project is providing 8 or 9 parking spaces for potentially 70 people. There are parking regulations that should be followed. Everyone else has to follow the rules and so should these people.
- The proposed Arts District overlay zone that some of the proponents are pushing wanted to exempt their business from parking requirements. That's lunacy.

Christina Brown moved and it was duly seconded to extend by ten minutes the rules of concluding Commission meetings by 11 p.m. In favor: 10. Opposed: 4. Abstentions: 0. The motion passed.

Richard Toole continued the public hearing until May 8, 2008.

The meeting adjourned at 11:05 p.m.

Chairman

Clerk-Treasurer

12-18-08
Date

1-22-09
Date