



Edgartown Yellow House Committee Meeting Minutes

MAY 1, 2018

I. CALL TO ORDER:

Chris Scott called to order the meeting of the Yellow House Committee at **3:44pm** on **Tuesday, May 1, 2018** at the **Edgartown Town Hall Meeting Room**.

II. ROLL CALL:

The following persons were present:

MEMBERS:	CHRIS SCOTT	OTHER:	JULIET MULINARE
	GAIL CROTEAU		MICHAEL DONAROMA
	JIM SHANE		KAREN BURKE
	SAM SHERMAN		RON RAPPAPORT
	MJ LOOK		
	CAROL FLIGOR		

III. OPEN ISSUES:

1. Mr. Scott opened the meeting with a discussion of the revisions made to the RFP at the previous meeting.
2. The Committee discussed the bonding requirements. Mr. Shane stated that a \$5,000 bid bond did not seem adequate to cover the costs of legal, any engineering, etc. and Ms. Croteau agreed. Mr. Shane further stated that he was unsure whether a \$100,000 bond for construction would be adequate and asked what happens to the rights of the plans if the developer pulls out. He suggested a completion bond instead. Mr. Rappaport stated that it's a hard question to answer with the proposals still unknown, but the Town would likely just keep the \$100,000 and retain the rights to the plans, and then re-issue the RFP, if the selected developer decided to back out.
3. The Committee discussed whether to specify an amount for a bond or whether to leave it open and base it on the strength of the developer. Mr. Donaroma stated that the Town is asking for this work to be done and thus, must assume some of the risk. Mr. Rappaport suggested that the Board of Selectmen discuss and determine the amount of the bonds and everyone agreed.
4. The Committee discussed a security deposit and decided against it.
5. The Committee then began to discuss the decision points (attached) in order. Mr. Scott invited those present in the audience to ask questions and join the discussion. He noted that the small building on the property is now available to be included in the proposal.
6. Ms. Julia Celeste asked how the measurements shown on the site plan were determined. Mr. Scott said through fieldwork and land surveys. Mr. Donaroma stated that the Town did not want to lose any parking spaces but remains open to other suggestions as the layout of the parking lot could change to allow for a larger addition to the small building.
7. The Committee then discussed how best to define the buildable area around the small building. The use of "approximately" in the description would prevent a developer

from being disqualified based on a technicality. A reference to maintaining an adequate curb cut should be included in the wording used for this.

8. The Committee discussed who maintains the area in front of the Yellow House (facing S. Summer St. Ms. Croteau suggested that a comparative criteria be used to assess this.
9. Mr. Donaroma informed the Committee that he and the other Selectmen feel the parking space requirements should be loosened and the developer should have more discretion. The suggestion was made to incorporate the number of parking spaces into the comparative criteria, where fewer spaces needed is more advantageous.
10. The Committee discussed Decision Point #5, regarding additions in the “L” of the Yellow House and required use of an arborist for any construction in this area. Ms. Croteau stated that she was unsure why an addition in the “L” would be considered Not Advantageous if a basement is not allowed either way. She referenced the proposals received in the first round and that they both contained attractive additions in that space, she prefers not to discourage that during this round. Mr. Scott and Mr. Sherman agreed.
11. The Committee then discussed whether the Town has a preference on an addition in the “L” area. Mr. Scott commented that the house will need a new foundation and a tree protection plan would be useful to prevent damage to the roots, which may be under the house as well as in the area of the “L”. Mr. Sherman commented that, ideally, there would be exploration work performed on the location of the tree roots, before the RFP is issued. Mr. Donaroma said that tree roots under the house can easily be pruned; roots in the “L” would have to be handled much more carefully. Ms. Look questioned whether an arborist’s opinion might trigger the need to re-issue the RFP, if it would change the proposal significantly. Mr. Scott said it would be unlikely as long as the changes are based on the professional opinion of the arborist and the proposer then follows those directives.
12. Mr. Christopher Celeste, member of the audience, asked the Committee why two arborists were needed. Mr. Sherman said the second opinion is to bear the burden of responsibility, in case the opinions differ, the Town can opt to go with the more restrictive one. Mr. Rappaport added that the tree belongs to the public, every effort should be made to protect it and the opinion of two experts is legally sound.
13. The Committee discussed Decision Point #6 and decided to remove part b, regarding the excavation area for the basement.
14. The Committee discussed the number of apartments allowed in the Yellow House. Mr. Donaroma stated that this, like the number of parking spaces, should be left open to the proposers but that it could be included as one of the comparative criteria as well. Ms. Croteau asked whether the Town could specify an area, based on square footage, to be used for a specific purpose. Mr. Carter asked about a requirement or higher rating for year-round housing offered.
15. Mr. Donaroma said the Town wants an active area that generates commercial interest. The Committee decided not to restrict the number of apartments or housing units that can be offered in the proposals.
16. The Committee discussed Decision Point #8, regarding the assignment of the lease. Mr. Shane commented that this was not for the Committee to decide and should not be a part of the evaluation. He added that he does not know of a developer who would choose not to exercise an option such as this one. Mr. Scott suggested that this be included in the introductory information, instead of as a comparative criterion. Mr. Shane suggested the language “Selected developer may grant leasehold mortgage at sole discretion of the Town”.

17. The Committee discussed when the lease should start: before construction or upon completion of construction.
18. The Committee discussed the date of the next meeting and decided on Tuesday, May 22, 2018 at 3:30pm.

Mr. Scott adjourned the meeting at 5:30pm.

Minutes submitted by: Juliet Mulinare

MINUTES VOTED & APPROVED:

Chris Scott, Chairman

Date