

# Edgartown Planning Board – Meeting Minutes

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Tuesday, January 24, 2023, 5:00 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, January 24, 2023, 5:00 PM.

*The meeting was audio and video recorded. Attendees participated by video conference, in accordance with Chapter 20 of the Acts of 2021. All supporting materials were provided to the members of this body and made available on a publicly accessible internet website. Members of the public were able to access the site, using the instructions included in the Meeting Agenda. The public was encouraged to follow along using the posted agenda. Deviations from the agenda, if any, were noted.*

## **CALL TO ORDER**

The meeting was called to order at 5:01 PM.

PRESENT: Lucy Morrison (Chair), Scott Morgan, Glen Searle, Michael McCourt, James Cisek (Alternate)

ABSENT: Fred Mascolo

ALSO PRESENT: Douglas Finn

Scheduled Business

5:00 PM PUBLIC HEARING (CONT'D FROM NOV 15, NOV 29, DEC 13) - SP: EASTERN WALL, LLC, 58 OYSTER-WATCHA ROAD (41-1.1) Application to request construction of a guest house "larger than 900 square feet in total liveable area" within the coastal district. 5:20 PM ANR PLAN – WALTER AND DAVID PIZZANO, 9 AND 11 LOON COVE ROAD (44-10.3131, - 10.3132) Applicant proposes to combine two existing parcels and divide to create three parcels. 5:30 PM PUBLIC HEARING (CONT'D FROM 12/13/2022 ET SEQ.) - SP: MARTHA'S VINEYARD HOSPITAL, INC., 490 EDGARTOWN VINEYARD HAVEN ROAD (11B-243) Application to construct and operate a Senior Residential Facility, comprised of a seventy (70) bedroom skilled nursing facility, to be contained within five (5) "houses" each of which will have fourteen (14) bedrooms; also to construct a seventy-six (76) bedroom Workforce Housing complex, consisting of seven (7) structures; also to conduct site activities including clearing of land, grubbing, grading, filling, trenching, installation of utilities, construction of support structures, roads and parking areas, construction of paths, lighting, and landscape elements, and all other work necessary thereto.

Continuance of PH - at 5:01 PM

MOVED by Searle, SECONDED by McCourt to continue to Feb 7, 6:30 PM

VOTED: 4, 0, 0.

Does past practice set precedent that the board is now bound by?

Does the board need to defend a negative as much as a positive?

Can the board establish its own criteria (in the absence of anything specific)?

What does town counsel say about decisions that could have the potential to establish precedent?

5:21 PM - Photos of Mattakessett reviewed. Some discussion related to development plans, landscape completion timeline, etc.

5:30 – Continuation of hospital.

Mr. Googhan turned it over to Mr Pesce for presentation of updated site plans.

MR. Pesce noted changes to the layout of the loop road. Two of the three "greenhouse" positions have changed slightly:

- Buildings 2 and 3 Utility rooms previously were facing each other, served by a single driveway; houses are now aligned, to afford simplicity of construction. Each of the five buildings are now identical in orientation.
- Stormwater infiltration locations have changed;
- Lighting details are shown on the plan

Q: has board of health given approval?

A: (Pesce): the board of health required an agreement to be signed by all parties;

Q: (McCourt) are septic designs complete and approved?

A: (Pesce): Yes.

Q: (Cisek): Approval by DEP?

A: Pesce: Because of the size, and the type of systems, we need 'pilot' approval from DEP. Local approval was preferred, prior to going to DEP for approval.

Q: No DEP signoff yet? A: Yes, for two of the systems; a third system is already approved.

Q: Were changes approved by MVC?

A: all changes are subject to final review by the MVC; however the designs, layout and concept were provided to the commission, and the mitigation plan is approved by the MVC.

Q: Morgan: My understanding: nitrogen level is over allowable amount. Mitigation plan was to offer septic systems in that zone to offset the nitrogen loading, as a trade-off. 8 off-site systems are proposed?

Mr. Pesce: A Total Maximum Daily Load (TMDL) for nitrogen needs to be met; in order to do that on this site, the applicants will replace existing systems with new de-nitrification systems on private lots.

Morgan: Total number of septic system upgrades proposed?

Pesce: Agreed amount is 8. DEP will also provide testing to ensure that the proposal is working properly.

Mr. Morgan: I would suggest that the systems should be installed prior to completion of the entire project;

Mr. Pesce: All systems have to be funded up front, as part of the building permit application process. That funding is according to TRI's pricing schedule, which includes ongoing monitoring.

Mr. McCourt: How much disruption will there be to upgrade these systems?

Mr. Pesce: If you have a failed system you have to replace / upgrade that system, so no extra disruption. Otherwise, no more than any typical replacement or repair process for septic.

Mr. McCourt: Are folks going to be aware of the process?

Mr. Pesce: Yes – those who might be eligible; and it won't be a significant disruption.

TRI: "The Resource, Incorporated" – on-island non-profit that provides affordable funding for septic system upgrades

Juliet Mulinaire: Will the houses selected for septic upgrades have to income qualify under TRI's standards?

Mr. Pesce: some income limits might apply, but they might be somewhat negotiable.

Mr. Morgan: Has there been any discussion with the town relative to the potential for Payments In Lieu OF Taxes (PILOT) payments?

Mr. Olivier: We are starting discussions, but there's nothing firm established as of yet.

Mr. Morgan: Do you agree that some sort of PILOT agreement should be in place prior to the Planning Board decision? I'm concerned that this is a large project with lots of moving parts, and we are the last board to review the project; we need to be sure that

Mr. Cisek: TRI has helped local folks refurbish homes across the island.

Mr. Coogan: Can Mr. Morgan Clarify his PILOT concerns?

Mr. Morgan: I'd like there to be some certainty regarding PILOT programs as part of our final decision.

Mr. Searle: Do we have a copy of the final decision from the MV Commission?

Ms. Morrison: Yes.

There was some discussion relative to TRI and their levels of funding.

Mr. Morgan: How would the applicant respond to a condition fixing development on the lot.

Mr. Pesce: There may be a need for a shed, or a garage...

Mr. Morgan: Not worried about a shed or carport; was thinking more about livable space.

Mr. Finn: Lighting schedule? Generator? Noise buffers?

Mr. Pesce: A light design is prepared; a photometric plan can be provided for review at a later date...

Mr. Pesce: Five generators are required (180kw), two of the five are on the north side, and are set into the hillside.

Mr. McCourt: Provisions for solar power?

Mr. Pesce: A, B and C will likely have solar; the five 'home' buildings are likely going to only have minimal provision for solar.

Mr. Finn: Massing of generators?

Mr. Pesce presented rough drawings of the generators that will be placed.

Mr. Morgan: Bollards and other protection around the generators? Mr. Pesce: There was

Mr. Cisek: VTA Service to the Site? Mr. Finn: We have a letter in the file.

Mr. Cisek: Shuttle for employees who live on the site and work at the hospital?

Mr. Olivier: A van is included in our programming model to help address transportation needs of employees.

Mr. Cisek: Can island residents be permitted to cull firewood from the site as its cleared?

Mr. Olivier: It's not something we've considered, but we can.

Mr. McCourt: Noise restrictions or limitations on generators?

There was some discussion relative to the noise limits that might be placed on generators, and whether or not the noise from generators would be disruptive.

Mr. Searle: What sort of light pollution can we expect from the outside lighting?

Mr. Pesce presented a photometric plan that roughly approximated the light 'spread' from each proposed outside fixture. Mr. Pesce: The photometrics and topography help to mitigate the impacts from the neighbors.

Ms. Morrison: modular construction? Stick built?

Mr. Pesce: The workforce housing and duplex units will be modular construction. The "Homes" will be built on site, slab-on-grade (no foundation) with structures built in place.

Ms. Morrison: DO you have a construction schedule? Mr. Pesce: still being worked on.

Mr. Neal Lemieux: Duplexes would be built first; larger buildings placed in the back, one at a time. "Homes" will be on a different schedule than the workforce housing.

Mr. Nicotera: There will be three four months of site work needed prior to Home construction; the utilities laid down, and the roads and parking lots will be constructed first, in order to facilitate construction.

Mr. McCourt: Off island crews? Or on-island crews?

Mr. Lemieux: We'll use as many on-island crews as possible; but on- and off-island workers will be needed.

Mr. Morgan: Summer construction?

Mr. Lemieux: We are hoping to start site-work as soon as possible in April; material entering or leaving the site...

There was some discussion relative to the timing of work, the impact of such work, the noise generated on site, and whether the board's conditions on noise-generating activity during summer months would apply, and how.

A construction schedule could be provided to the board as part of the submission.

No further question from the board, open to the public: 6:33 PM:

Mr. Rob Ianelli, 50 Teaberry Lane, spoke in opposition to the project, citing "project creep", lack of plans and materials, and ignorance of the abutters' concerns.

Mr. Coogan: There is a lighting plan in place. There is a landscaping plan in place. The other materials referenced by the abutter are in place; abutter evaluations are in place;

Mr. Morgan: This is a commercial project. There are millions of dollars to be invested, there will be lights seen from the site. The generators will generate noise; lawn-mowers will make noise; trash trucks will make noise. This is an area zoned for residential; the town voted to change the zoning just to provide the avenue to review this project in the first place; it's unfair to slam the door on residents concerns.

Ms Mulinaire: As a direct abutter: would like to see the landscape plan: what will the view of the site from Edg-VH road? I'm concerned with speeds on the Edg-VH road? What traffic studies were conducted that examine the potential impact to the immediate area?

There was some discussion relative to placement of buildings, sound concerns as addressed by site layout and building orientation.

Mr. Pesce noted that the traffic study presented and peer-reviewed showed minimal impacts to traffic in the immediate area; some safety improvements are proposed (flashing beacons at the crosswalk); bus-stops are proposed for the site; crosswalks for Edg-VH road are proposed regarding beacons to be placed at a proposed crosswalk.

Mr. Devon Pope offered some concerns relative to the project.

Ms. Paddy Moore offered comment in support to the project.

Mr. Ianelli asked again for the total square footage of all structures?

Mr. Pesce: Each Greenhouse building is somewhat under 12,000 square feet (a thirteen-bedroom house)... (NEED MORE INFORMAITON HERE) (7:08 PM)

Greenhouse structures – total square footage for all 5 buildings: 57,400 square feet.

Workforce housing: Footprint: 46,900 square feet.

Mr. Ianelli expressed concerns about the scope of the building.

After brief discussion, Ms. Morrison polled the board on the option to continue the public hearing, or close it.

It was MOVED by Morrison, seconded by Searle

To continue to February 7, 7 PM.

VOTED 5, 0, 0. (7:15 PM)

Re/ Mattakesett Realty: Timing of the trees?

Reade Milne: Some trees will be planted in the spring; doesn't make sense to plant trees now, as they would likely fail due to disruption of the construction.

Both developer and contractor has intention of planting trees; Mr. Searle noted that it would be completed in May.

Ms. Milne: Development on the island is rampant right now; it has exploded, and causes a great deal of disruption to neighbors. Our bylaws were written before this situation was even conceived.

The board concluded that the developer was agreeable, generally, and could be trusted to continue keep his work regarding the landscaping plan.

The board agreed to keep tabs on the situation, and revisit the situation in May.

Re/ Loon Cove ANR –

The board reviewed the plan; Mr. Searle noted that the road was not sufficient to support the traffic on the site; the

After brief review, Mr. Silva requested permission to withdraw the Form A without prejudice.

It was MOVED by Morrison, SECONDED by Searle

To allow applicant to withdraw without prejudice.

VOTED: 5, 0, 0.

There being no further business, it was MOVED by Morrison, SECONDED Searle,

To adjourn.

WITHOUT OBJECTION.

The board was adjourned at 7:30 PM.

## **ADJOURN**

There being no further business, it was recommended by Mr. Morgan that the board stand adjourned.

*Approved by unanimous consent.*

The board stood adjourned at 6:32 PM.

Respectfully submitted,

Douglas C. Finn  
Clerk Pro Temp