

Edgartown Planning Board - Meeting Minutes

Tuesday, February 28, 2023, 5:30 PM

The Edgartown Planning Board scheduled a meeting for Tuesday, February 28, 2023, 5:30 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

Meeting called to order at 5:31 PM. Present: Lucy Morrison (Chair); Mike McCourt, Glen Searle, Scott Morgan, James Cisek (alternate).

Absent: Fred Mascolo.

Others present: Doug Hoehn, Julia Livingston, Mike Tomkins (VLSE) Tracey Smith, Penn Edmonds;

SCHEDULED BUSINESS

5:30 PM - PUBLIC HEARING (CONT'D FROM 02/072023 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.

Present for the Applicant: Geoghan Coogan; Also present: Chris Alley (SBH, Inc.), Ed Olivier, Ed Pesce, Denise Schepici, Mr. Mark Nicotera, Mr. Neil Lemieux, others; also present: Matt Poole (Health Agent), Linda Armor, Others.

The public hearing resumed at 5:36 PM

Presentation / Comments

Ms. Morgan asked if members had any file questions.

Mr. Morgan: What is the capacity of Windemere? Mr. Olivier – building capacity is 60 beds, but our current operating capacity is only 30 Beds due to lack of staff housing for the necessary staff to fully operate. Mr. Morgan: if this project goes forward, what will the occupancy be?

Mr. David McDonough: We anticipate full occupancy at Navigator, as staff housing will be sufficient to support full staff required to maintain full occupancy.

Mr. Morgan: Have you considered reducing your footprint at the proposed site on Edg-VH road?

Mr. McDonough: Market studies show that at 70 beds, we are barely meeting half of the demand on the island, so we have not considered reducing capacity.

Mr. Morgan expressed concern about the density on the site, and noted that his questions were intended to explore reducing the overall impact to the neighborhood. Mr. McDonough appreciated the consideration being given. However, he noted that the overall density per acre on the site as proposed is less dense than the immediately adjacent Teaberry Lane neighborhood.

Mr. Cisek: Will a walking path be part of the proposal? Mr. Olivier: Yes, absolutely, that was always part of the plan, and we are looking for partners (Land bank, Sheriff's Meadow, etc.) to getting a path in place.

Ms. Morrison: There is no impact relative to National Heritage? No – the idea of the paths are acceptable to NH.

Mr. Searle expressed concern about the impact of generators, and noted that the connection of the site to town sewer would significantly impact his decision.

Ms. Morrison asked about the cost of staff housing to the occupants, expressing an interest in not seeing Navigator or Hospital employees to be 'housing burdened' from an economic standpoint.

Mr. Olivier: We are working with Dukes County Housing Authority who will be helping the Hospital to vet possible tenants based on income. There was some exploration of how qualification for housing would work for hospital employees. Mr. Olivier noted the potential for a 'sliding scale' for rent, based on ability to pay.

Ms. Morrison: Will there be a fee paid to the housing authority for services? Mr. Olivier: yes, that is an anticipated part of the process.

Mr. Searle: How many houses does the hospital rent for employees? Mr. Olivier: 80-90 dwelling units.

There being no further questions, Mr. Ed Olivier made a final presentation on behalf of the applicant, generally summarized in EXHIBIT – POWERPOINT PRESENTATION, dated February 28, 2023, included in Project File.

Ms. Morrison then declared with the GENERAL CONSENT of the board

To close the public hearing.

WITHOUT OBJECTION. (6:03 PM)

Deliberation

There was some discussion related to the Wastewater Commission's intent to allow for a connection to the Town's Sewer. There was some discussion relative to the timing of that request and the logistic possibility.

A letter from Mr. Gerald Martin, Deputy Regional Director of the Bureau of Water Resources, dated February 28, 2023 was summarized and reviewed.

A number of draft conditions were reviewed, with board comments provided, applicant feedback considered, and specific language considered, as follows:

As Offered by the applicant: Wood culled from downed trees on the site will be cut to four-foot lengths, and left outside site gates in a location accessible to the general public; wood shall be offered at no charge to the public on a first-come, first-served basis.

As Offered by the Applicant: The applicant shall provide a copy of the final Stormwater Pollution Prevention (“SPP”) plan to the Edgartown Planning Board, Edgartown Highway Superintendent, and Edgartown Building Inspector (“SPP Review Agents”) for review and comment. Applicant shall consider any comments provided to them by SPP Review Agents within 7 days of submission, and shall provide written responses to SPP Review Agents within 7 days following.

Recycling of Materials: As offered by the applicant, applicant shall sort and separately recycle and/or dispose of construction materials based on type (cardboard, clean wood, metal scraps, sheetrock, non-recyclable, non-reusable). Materials that have any reclamation or recycling value shall be separated and channeled toward the highest possible reuse. On-island reuse, recycling, and composting shall be prioritized above similar off-island treatment of the same materials.

Construction Management Plan: Any changes to the Construction Management Plan shall be submitted to the Planning Board for review. Where any significant changes to the Construction Management Plan is reasonably anticipated to delay or extend the construction schedule or any part thereof by more than eight months, the applicant shall return to the Planning Board at a regular meeting to present the revised Construction Management Plan.

Workforce Housing: As offered by the applicant, all workforce housing will be prioritized for year-round employees of the MV Hospital, and “Navigator Homes” staff; occupancy of workforce housing units by seasonal employees shall be considered on an as-available basis.

Site Traffic: For the first two years of full operation at the site, applicant shall conduct a traffic count and study that shall count the number of vehicles entering and exiting the site, and wait-times for traffic exiting the site. Traffic counts shall be conducted on no less than three weekdays, each in a different week of either July or August. On each day, traffic counts shall be measured over early morning (7-9 AM), early afternoon (1-3 PM), and early evening (4-6 PM). Traffic count results shall be presented to the Edgartown Highway Superintendent and Edgartown Planning Board for review. Applicant shall agree to work in good faith with the Town of Edgartown to consider and implement remediation measures if determined by all parties to be necessary. If significant (more than 35%) variation exists from Year one and Year two, a third year of traffic counts may be required at the option of the Town.

Landscape Plan: Applicant shall provide a detailed landscape plan to the Edgartown Planning Board and Edgartown Building Inspector for review.

Where possible, taller and more mature screening materials shall be used. Where possible, natural visual screening material shall be variegated in species. Where possible, landscape material shall be installed in multiple lines to provide ‘depth’ to natural screening.

The Landscape Plan shall include a Planting Schedule, detailing as close as possible the schedule as to when specific landscape elements will be installed over the course of construction on the site. If significant changes are necessary, or anticipated, the applicant shall return to the Planning Board at a regular meeting to present a revised Planting Schedule.

Landscape Management: A landscape management plan shall be provided to the Edgartown Planning Board and Edgartown Building Inspector, detailing landscape management strategies intended to ensure the long-term sustainability of landscape elements, including trees, shrubs, natural grasses, etc.

In accordance with the Decision by the MV Commission, only slow-release, water-insoluble nitrogen-source fertilizers may be used; further, only native or low-maintenance, drought-tolerant non-invasive species may be installed; further, no pesticides or herbicides shall be used in the maintenance of landscaping; further, vegetated screening in places where vehicle headlights would be directed toward natural habitat.

Applicant shall commit to replacement of any failed landscape elements with effectively similar plantings, similar in visual appearance and screening capacity. Where necessary, use of different plantings shall be permitted at the applicant’s discretion due to factors relative to light, irrigation or soil

composition.

Neighborhood Site Visit Applicant shall schedule, promote and host a site visit before construction begins, in order to provide neighbors and abutters with an opportunity to understand the development schedule, the types and duration of development activity, and the measures intended to reduce disruption to abutters and neighbors.

Neighborhood Relations: Applicants are strongly encouraged to consider constructive feedback, submitted in good faith, from property owners within 300' of property boundaries ("Abutters") wherever possible. Applicants shall consider adjustments to development activities that address abutter concerns, where such adjustments are not overly intrusive to the timeline and objectives of the project. Applicants shall investigate and address complaints from Abutters, and maintain a log and record of the same. Said log and records shall be provided to the Town upon request.

Generators: Required generator maintenance will occur on such a schedule so that all five generators are not cycling at the same time.

Generator Noise: After full installation of the generators, generator noise will be measured at the boundary line of the property to ensure compliance with levels as proposed and expected in the Application documents.

Municipal Wastewater Connection

The applicant has expressed its interest in connecting to the Edgartown Municipal Wastewater system. If the Town of Edgartown through its Wastewater Commission confirms a true and legitimate offer of a municipal wastewater connection within ninety days of filing of this decision with the Town Clerk, that is both physically and financially practicable, the applicant shall agree to pursue such connection, including modification of their plan, and request of a modification of their Decision from the Martha's Vineyard Commission and this Special Permit.

Standard Conditions for Construction

This special permit is not in effect until the applicant has filed a certified copy of the decision or certificate with the registry of deeds. A copy of same shall be provided to the Planning Board and Building Inspector.

The construction shall conform to the application considered and approved by the Planning Board, including all plans and documents submitted in support of same, and approved by the Planning Board.

This special permit shall run with the land.

Outdoor lighting shall be limited to that required by the building code and shall be down-lit only and fully shielded when viewed from the top and sides. Mercury vapor lighting and "bug zappers" are prohibited.

Prior to issuance of a building permit, the above specified plans will be compared to the construction documents submitted to the Building Inspector for verification and correspondence. If the Building Inspector determines that there are significant differences, the applicant shall be required to apply for a Modification to this Special Permit.

Substantial construction activity must commence no later than one year from the date of final action by the Planning Board.

No construction activity will take place earlier than 7:00 AM or later than 5:00 PM. No work shall take place on weekends.

Deliberation

Mr. Morgan noted that his concerns have been met, and while he did not necessarily think this was the best site, and noted that there could be other preferable sites, the project as presented and modified seem to be largely acceptable.

Mr. Cisek noted that his concerns have been met and that the benefits that the completion of this project provided benefits that would far outweigh the detriments that might exist.

Mr. McCourt noted that the project had come a long way from the start, and felt that the project would provide a significant benefit to the island, particularly for families with elders in need of services that could be provided.

Mr. Searle offered the same complements, noting that the journey had been extensive, and hoped that the intent to work with the neighbors continued through the project's further development.

Ms. Morrison noted that, since hearing about "Green Homes" in the mid 2010s, she became more impressed with the services that might be offered. Ms. Morrison noted her belief that this project will work for Edgartown, that the hospital is an essential service that needed support through the staff housing component, and that this might be the last opportunity for such a facility for the island.

Ms. Morrison noted that based on testimony given, and information receive from the applicant, that the proposal meets the criteria necessary for approval by the Planning Board. Ms. Morrison thanked the applicants for their time, and

It was MOVED by Ms. Morrison, SECONDED by Mr. McCourt

To approve the application with conditions as discussed; said conditions to be reviewed by Morrison, Coogan and Finn, with a final Decision document to be presented to the Planning Board for final review and approval on March 7, 2023.

VOTED:

MCCOURT: YES;

MORGAN: YES;

SEARLE: YES;

CISEK: YES;

MORRISON: YES.

(7:02 PM)

UNANTICIPATED BUSINESS: REFERRAL OF FORM C (SUBDIVISION)

Ms. Morrison noted receipt of a Form C application, and expressed concern about the current board makeup as it impacts the public hearing.

After some discussion, the board agreed to support Ms. Morrison's decision to refer the project to the MV Commission for review.

UNANTICIPATED BUSINESS: BPAC MEMBERSHIP

Ms. Morrison noted that there were openings on the Bicycle Pedestrian Advisory Committee. Mr. Cisek expressed potential interest. Ms. Morrison agreed to forward information to Mr. Cisek, and suggested that he send a letter of interest to Bill Veno at the MVC.

REVIEW OF MINUTES

The Minutes of January 17, February 7, and February 21 were reviewed.

After some deliberation, it was MOVED by Morrison, SECONDED by McCourt
To approve the minutes as presented.

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

ADJOURN

There being no further business, it was MOVED by Morgan, SECONDED by Cisek
To Adjourn

VOTED: 5, 0, 0 (7:17 PM)

Respectfully submitted,

Douglas C. Finn
Clerk Pro Temp