Study of the High School Area and

Edgartown-Vineyard Haven Road Corridor Region in Oak Bluffs

Existing Land Uses and Regulations

March 8, 2017

Prepared for the Oak Bluffs Planning Board

by the Martha's Vineyard Commission

MARTHA'S VINEYARD COMMISSION

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Summary

At the center of Martha's Vineyard's three down-island towns in Oak Bluffs is a mixture of public and non-profit services, residential and commercial land uses, as well as significant amounts of undeveloped land. All of these lands front a primary transportation roadway linking Vineyard Haven and Edgartown and to this part of Oak Bluffs. The Oak Bluffs Planning Board wishes to assess 1) the potential demand for development in this corridor and 2) the implications for zoning, public infrastructure and services. This report is an inventory of the land uses and existing land use regulations for the corridor study area.

Background

Over the course of several months in 2016, a succession of potential land use developments for portions of land owned by the Martha's Vineyard Regional High School and adjacent lands were proposed. The Town of Oak Bluffs also owns a substantial amount of land in the immediate vicinity earmarked for affordable housing. Within ¾-mile of the high school, there are several undeveloped parcels fronting the Edgartown-Vineyard Haven Road, as well as a substantial number of existing residences and several institutional and commercial uses. This activity occurs in a central crossroads of the populous down-Island. The Oak Bluffs Planning Board wanted to evaluate the broader area up and down the road corridor to better understand the potential demand for development and the implications for zoning, public infrastructure, and services.

Process

The Oak Bluffs Planning Board enlisted the assistance of the Martha's Vineyard Commission to develop a process for identifying and assessing land use alternatives for the study area.

The first step was to inventory the existing land uses and to gather information on plans landowners have for their respective properties. The Planning Board and the Board of Selectmen extended to all landowners in the study area a written invitation to a public forum on November 17, 2016 in the High School cafeteria. Through a series of maps, attendees were introduced to the purpose of the study and the existing mix of land uses in the corridor. A few landowners described their plans for future use of their properties and responded to questions. The attempt to more fully quantify landowners' plans has been only partially fruitful, in part because plans are often in a state of flux up until development permits are sought.

The second step was to identify all of the local and state regulations that bear on land development in the study area. These are summarized and quantified in a table in this report. The extent of each regulation within the study area is illustrated in a second series of maps.

Next Steps

Beyond this baseline assessment of existing land uses and regulations in the corridor study area, next steps could focus on at least three issues with one or more development scenarios:

1) Quantify the existing water and sewer usage and the potential demand for these public services,
2) Examine improving safe circulation of pedestrians, cyclists, transit users and motorists in acknowledgement that this is a primary transportation corridor for Martha's Vineyard,
3) Evaluate the fiscal implications of expanded or improved public infrastructure and effects on the study area's tax base.

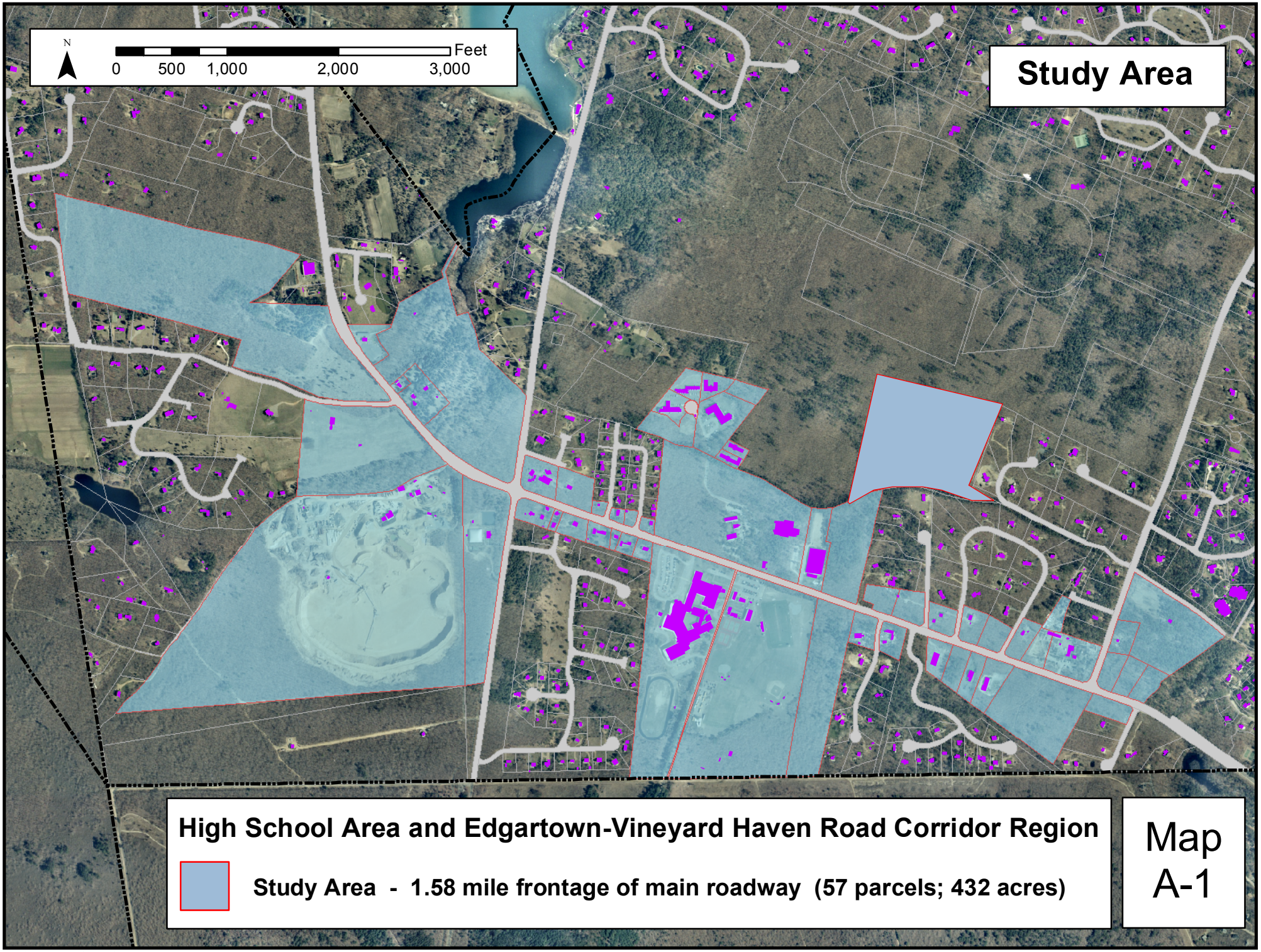
Such additional information will provide the Planning Board, the Board of Selectmen, other Town Boards, landowners and the Oak Bluffs and Island communities a better basis to understand the opportunities and challenges presented by potential expanded or new land uses in the context of the supporting natural and manmade resources, and the compatibility with existing land uses.

Corridor Study Area (Map A-1)

At the southern end of the Town of Oak Bluffs passes the Edgartown-Vineyard Haven Road, the main transportation artery between the namesake towns. The Oak Bluffs segment of the roadway has two intersecting roads a mile apart – County Road and Barnes Road. The latter is the Island's principal crossroad, aka the Roundabout. The Martha's Vineyard Regional High School owns land on both sides of the Edgartown-Vineyard Haven Road midway between two intersecting roads. The high school and several other public and private developments have located in the vicinity at least in part due to the area's central location to multiple towns. The planning board is taking a broader look at land fronting the road, extending the study area from County Road west, a half mile beyond the roundabout to include over 150 acres of land owned by the Goodale family. Besides having 55 acres of undeveloped land, the Goodale's are looking at what future use to make of the 100-acre sand pit once it is mined out.

Along the study area's 1.58 mile of roadway, 57 parcels comprising 432 acres either directly fronting the road or are adjacent to frontage parcels in the same ownership. This study assumes the 24-acre "doughnut hole" in the Southern Woodlands is relocated, as planned, to be adjacent to an existing undeveloped town-owned parcel fronting the road. The non-profit Island Elderly Housing's Woodside Village does not have frontage on the Edgartown-Vineyard Haven Road but the road is the sole access for the 95-unit development.

Overall, the study's frontage requirement makes for a corridor of wildly varying widths – from 100 feet to over 3,500 feet. Conservation land constricts both sides of much of the segment between Barnes and County roads, with the Land Bank's Southern Woodlands Reservation as close as 700 feet north of the Edgartown-Vineyard Haven Road and, on the south side of the road, the State Forest within 600 feet at the east end of the study area.



MVC bveno; OB HS Corridor_study area; 11-18-16; rev 2-24-17

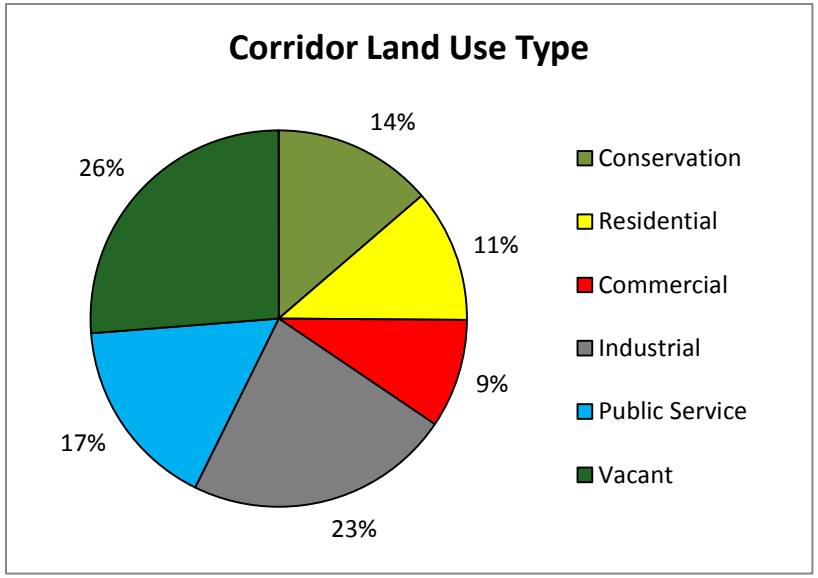
Existing Land Use

Conservation lands comprise 15% of the study area concentrated west of Barnes Road. Included is the19-acre alpaca farm. There is considerable conservation land bordering the study area. (Map A-2)

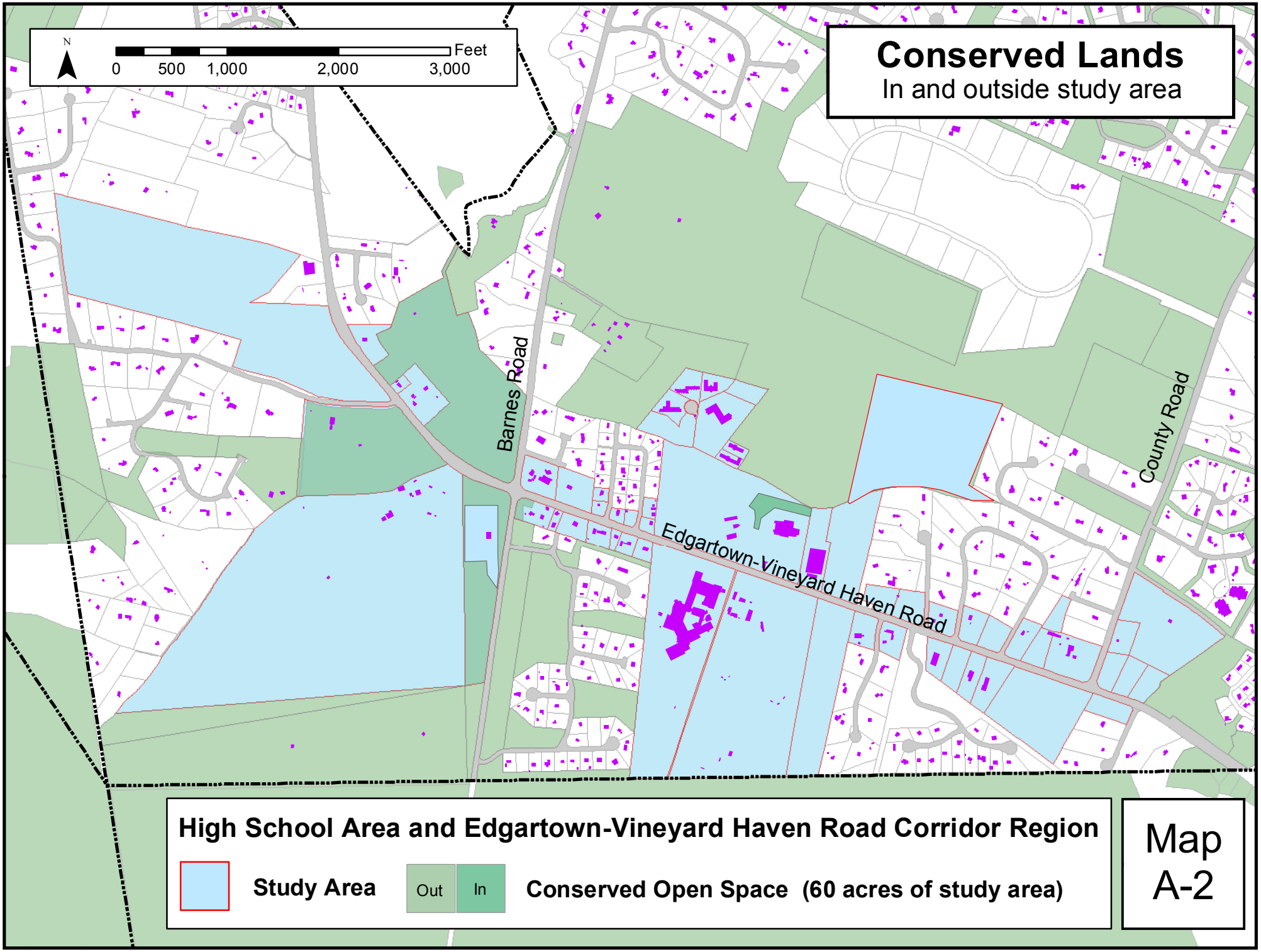
Residential use represents 12% of the study area, one-quarter of which is the 95-unit Woodside Village. Of the 24 single-family parcels, 10 are the frontage lots of six subdivisions. These subdivisions contain another 71 residential parcels not included in the study area. (Map A-3)

Commercial and Industrial uses constitute one-third of the study area, mostly due to the sole industrial use – Goodale Construction – that, alone, represents one-quarter of the study area. The seven commercial uses include a garden center, funeral home, ice arena, YMCA, skate park, rental center, tennis center, and alpaca store. Some of these are non-profit operations and quasi-public services. (Map A-4)

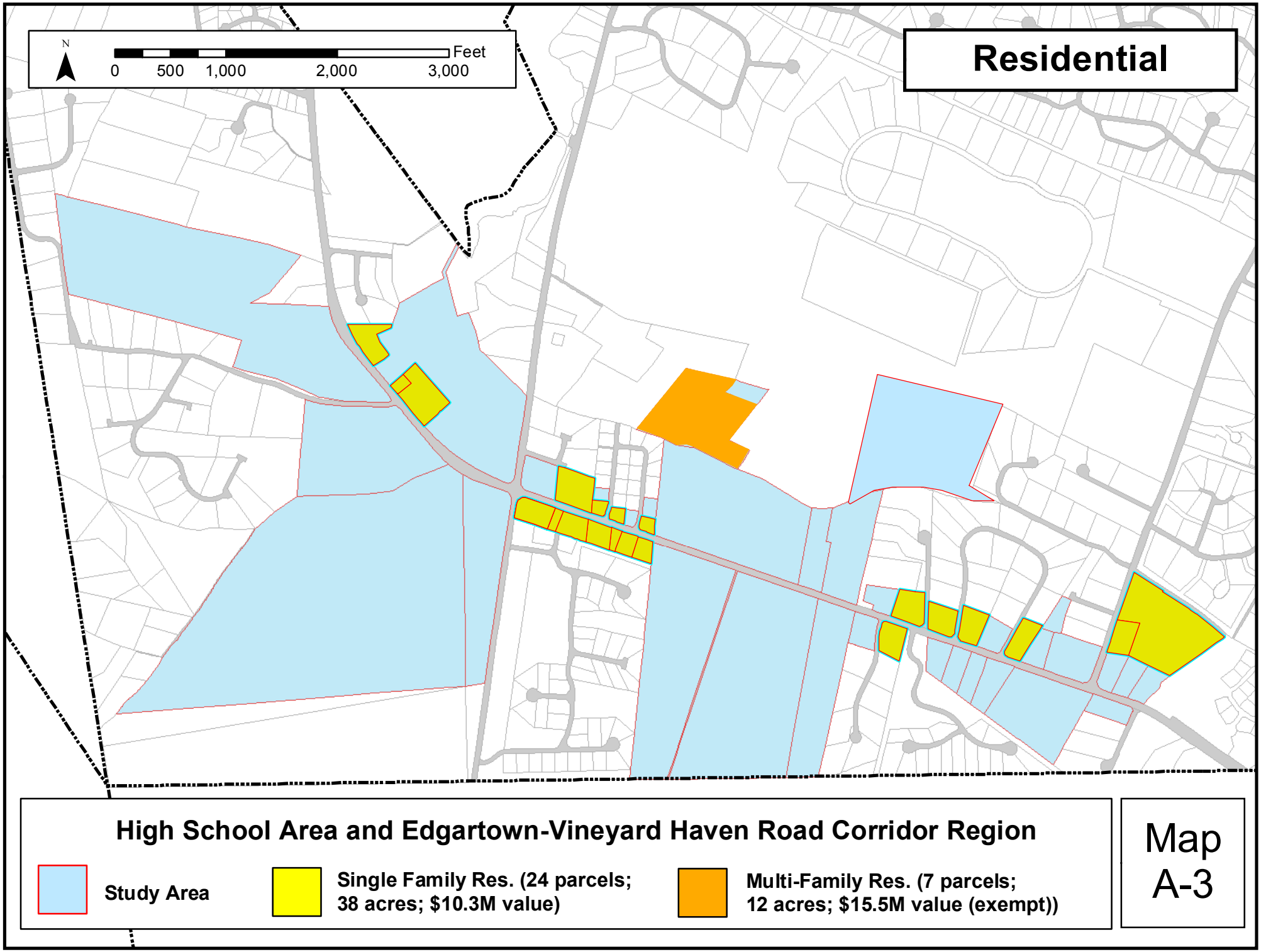
Public Service includes some non-profit entities such as MV Community Services and churches. These account for 17% of the study area – most of which is comprised of the Regional High School facilities. The YMCA, ice arena, skate park, and youth tennis center categorized here as commercial could be considered public services. (Map A-5)



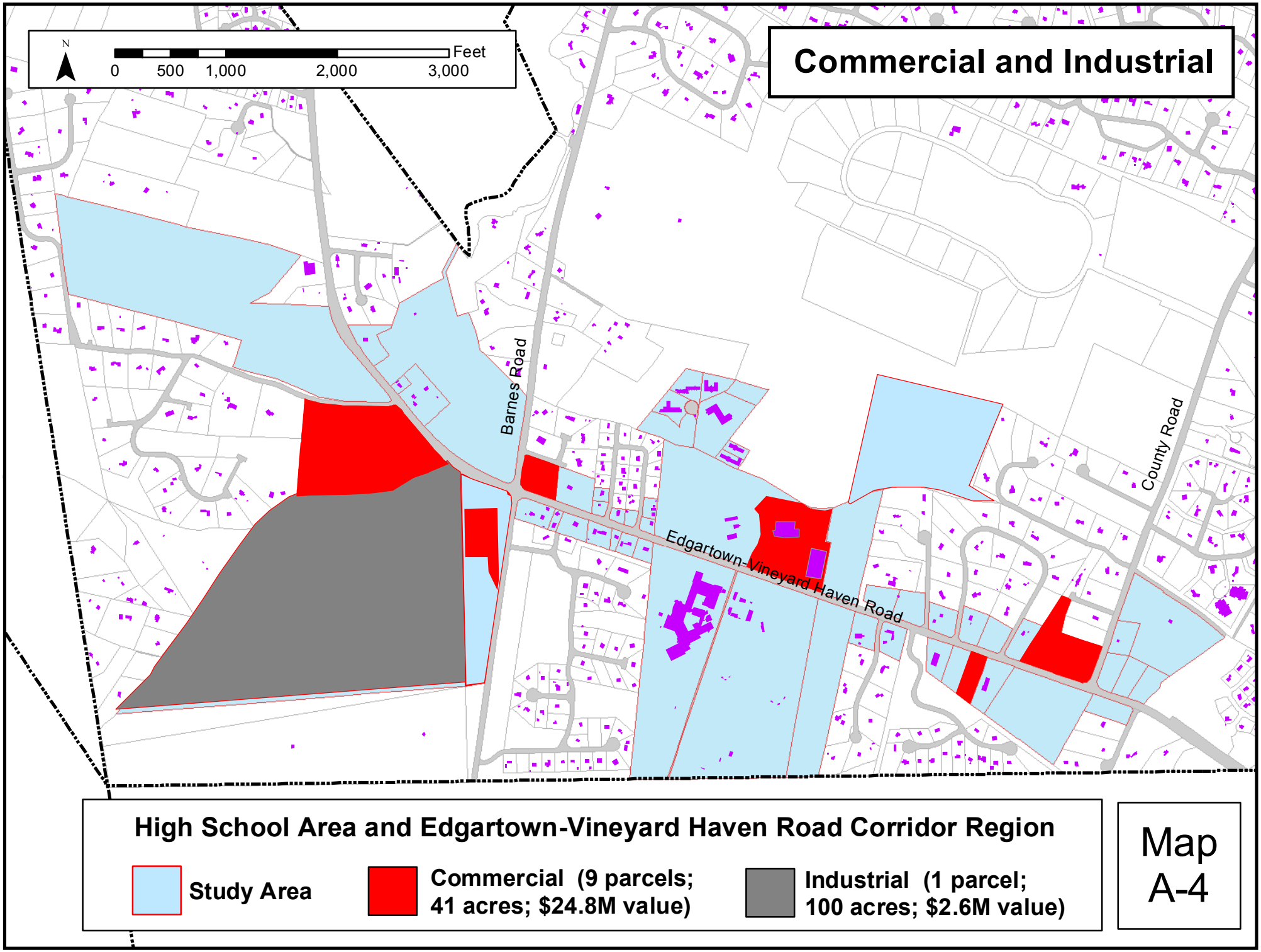
Vacant land accounts for 27% of the study area, more than any other land use category. It is spread across the length of the corridor but mostly clustered in four areas. (Map A-6)



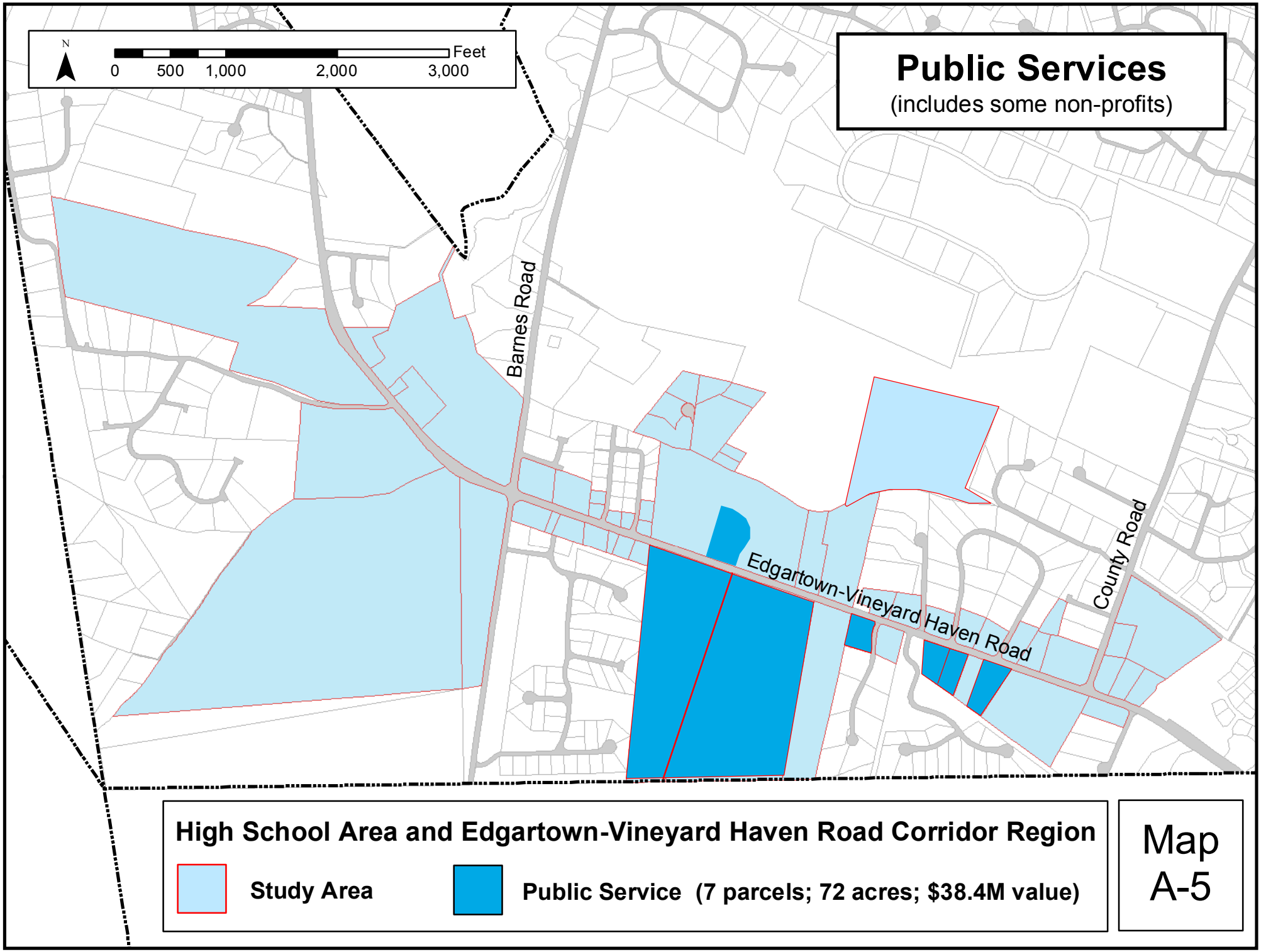
MVC bveno; OB Edgartown-Vineyard Haven Rd Corridor_open space; 3-6-17



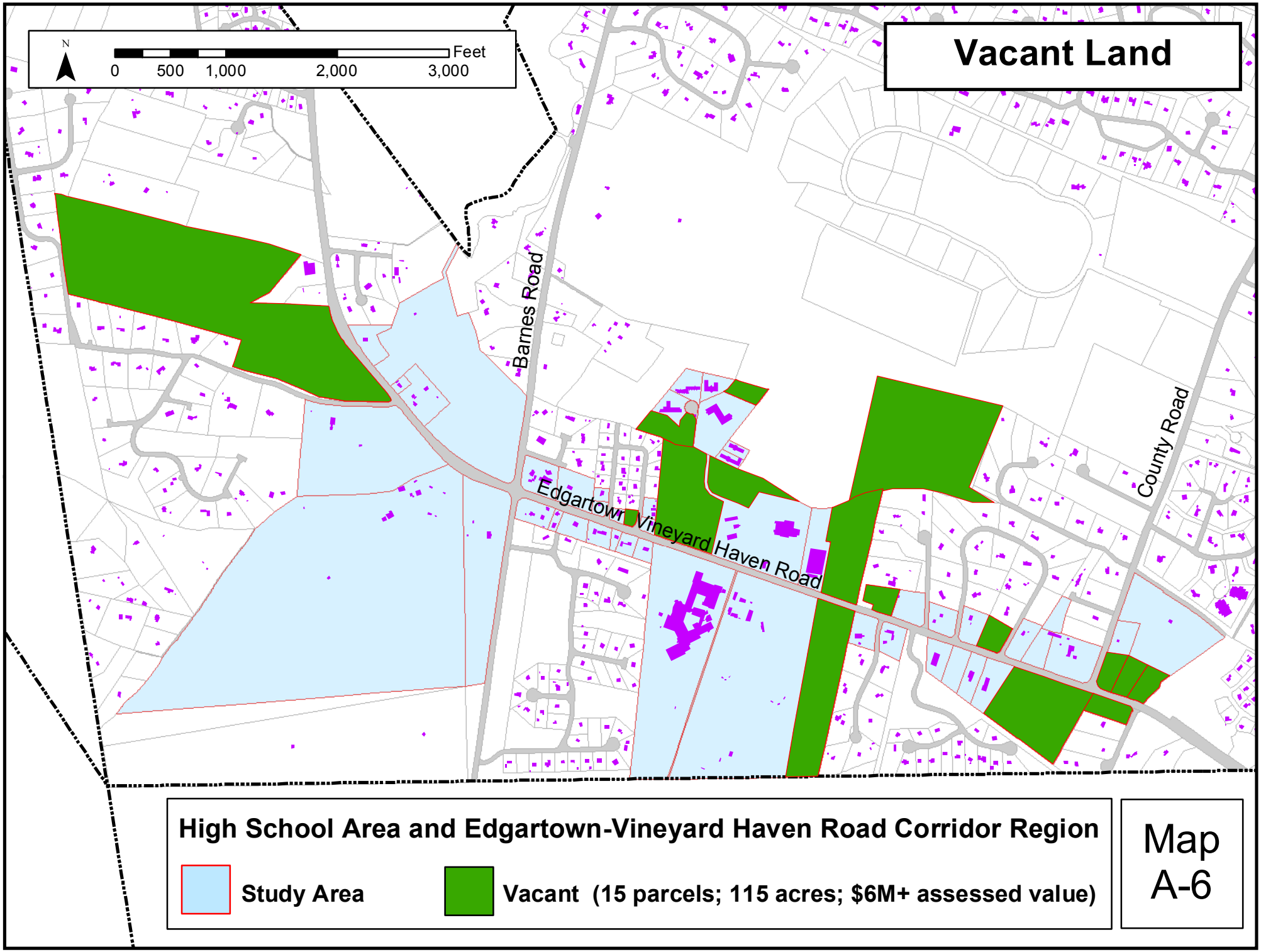
MVC bveno; OB Edgartown-Vineyard Haven Rd Corridor_residential; 3-6-17



MVC bveno; OB Edgartown-Vineyard Haven Rd Corridor_commercial; 3.6.17



MVC bveno; OB Edgartown-VIneyard Haven Rd Cooridor_public services; 3-6-17



MVC bveno; OB Edgartown-Vineyard Haven Rd Corridor_vacant; 3-6-17

Existing Land Regulations

Ten different land regulations guide or control the use of portions of land in the corridor study area. These are mostly zoning bylaws of the Planning Board, but there are overlay districts of the Town Board of Health and the Massachusetts Natural Heritage Endangered Species Program (NHESP). Consequently, a parcel of land can be governed by several regulatory districts. The districts are identified below and described in more detail in a table and illustrated in a set of four maps.

Traditional Town Zoning (Map B-1)

Two traditional, baseline zoning districts cover the study area. About 90% is in the R-3 Residential District, a low-density district that covers the southern half of Oak Bluffs. The R-3 minimum lot size 60,000 square feet and dwellings cannot occupy more than 1/3 of the lot. The R-4 Residential District is carved out of the center of the R-3 district and only captures 9% of the study area. R-4 is more restrictive with a minimum lot size of 130,000 square feet and most uses are by special permit.

The Town also has two overlay zones that accommodate specific types of uses not allowed elsewhere in the town. The overlays do not require these uses, but lay out the standards and review procedures for such. The Wireless Communications Overlay District encompasses the school property, ice arena and the adjacent vacant town lot. There is a communications tower on the ice arena parcel. The Registered Marijuana Dispensary Overlay District covers a single, undeveloped, 55-acre parcel at the far west end of the study area.

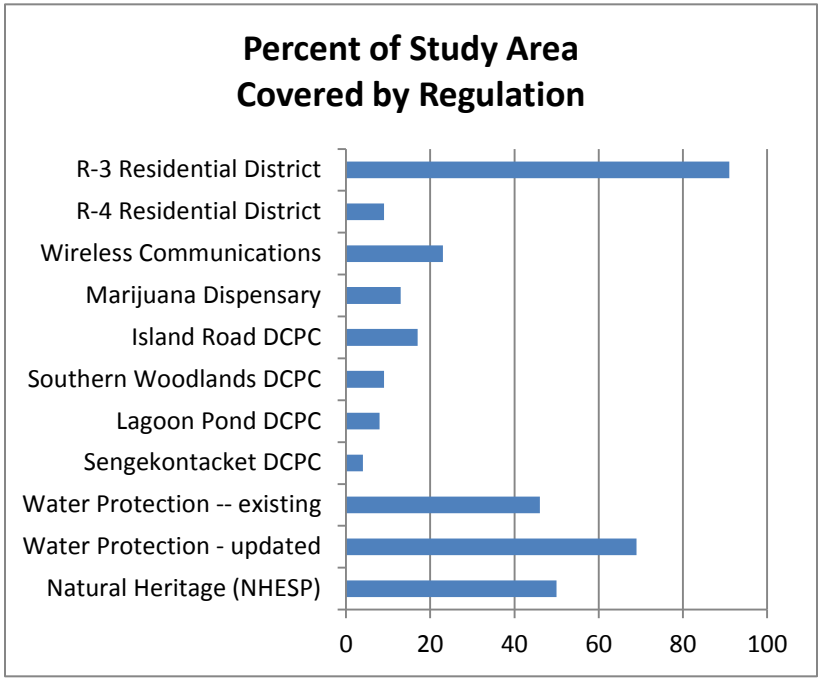
Districts of Critical Planning Concern (DCPC) (Map B-2)

A DCPC is an area recognized by the Martha's Vineyard Commission (MVC) as deserving special regulations to protect natural or cultural resources, or to promote a healthy local economy. The Town usually nominates a DCPC for consideration by the MVC and develops, adopts and enforces the DCPC regulations. DCPCs are not always zoning regulations; the Lagoon Pond DCPC and Sengekontacket Pond DCPC are in the Board of Health regulations and address water quality issues to ensure the vitality of the ponds. The Island Road DCPC, running 200 feet along both sides of Edgartown-Vineyard Haven Road and Barnes Road, was established in the mid-1970s to regulate strip development along roadways by requiring 1,000 feet separation of new curbcuts. It also has provisions addressing building height. The Southern Woodlands DCPC is coterminous with the R-4 Residential District but adds standards for impervious surfaces, clearing of land, and development of steep slopes, above which special permit approval is required by a designated site review committee. This DCPC also requires archeological review and natural resource inventories. Nine percent of the study area in is the Southern Woodlands DCPC – the existing Woodside Village and the Town's vacant "donut hole".

Wellhead Protection Overlay (Map B-3)

Among the responsibilities of the Oak Bluffs Water District is to protect the quality of the drinking water is provides the community. Not having land regulatory powers, however, it relies upon the Water Resource Protection District in the zoning bylaws to achieve this goal. The district boundaries – commonly referred to as a Zone II (2) – extends up-gradient from the Lagoon Pond pumphouse and includes just under half of the study area, mostly west of the roundabout.

The physical extent of the protection district was delineated in 1987. Measurements and studies in recent years have resulted in new boundary delineations that affect not only properties up-gradient of the Lagoon Pond pumphouse, but those up-gradient of the water well near Farm Pond, nearly two miles north. Adoption of the new boundaries will place about 70% of the study area within the Zone II. Most notably, this change will now incorporate most of the 32 acres of vacant land owned by the Town and targeted for affordable housing. The district reduces the size of septic systems allowed and restricts uses involving toxic or hazardous materials in amounts greater than would be used in a typical household. Updated regulations to go along with the revised boundaries would include limitations on impervious lot coverage.



Natural Habitat Protection (Map B-4)

A state regulation that covers extensive areas of the Vineyard is the Natural Heritage Endangered Species Program (NHESP) of the Massachusetts Department of Natural Resources. Half of the study area falls under this state overlay district, including – again – the Town's vacant properties. The effect of the NHESP is that the state reviews proposed developments with its records of protected species of flora and fauna and determines whether a "take" of the natural resource would occur. NHESP review can result in no recommended changes to the project and repositioning or scaling-back portions of the protect. In cases where a "take" cannot be avoided, the developer can be required to provide replacement habitat of 1.5 to 3 times the amount of the "take". NHESP review of the preliminary expansion plans of the MV Community Services concluded that no mitigation steps would be necessary. A decade ago on the other side of the existing MVCS facilities, the YMCA was required to place a conservation restriction on more than one-third of its 5-acre site.

High School Area and Edgartown-Vineyard Haven Road Corridor Region

Zoning

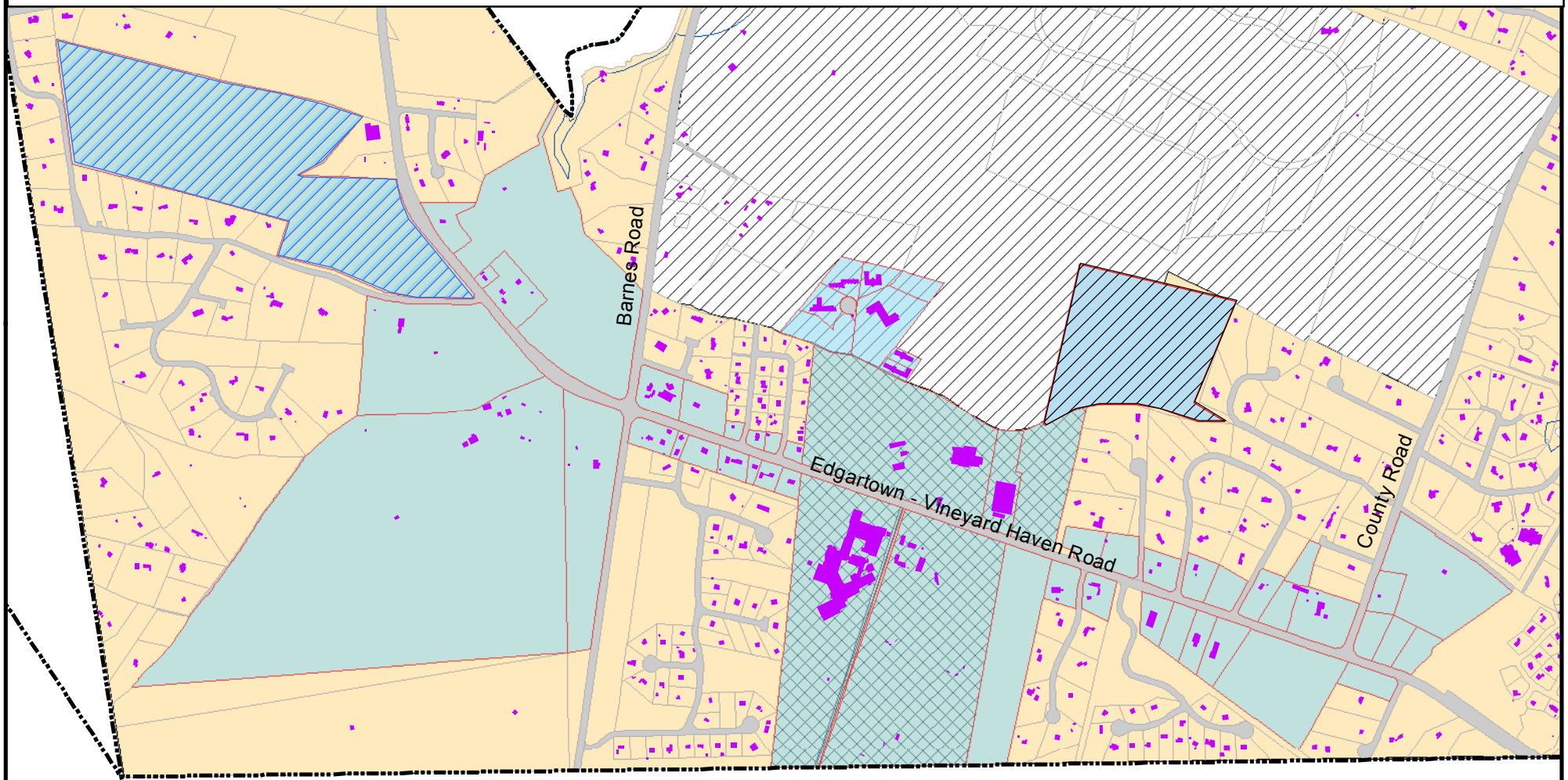
Study Area

R-3 Residential District
(91% of study area; 50 parcels; 396 acres)

R-4 Residential District
(9% of study area; 9 parcels; 37 acres)

Wireless Communications Overlay
(23% of study area; 5 parcels; 100 acres)

Registered Marijuana Dispensary Overlay
(13% of study area; 1 parcel; 56 acres)



N
0 500 1,000 2,000 3,000 Feet

MVC bveno; CB HS Corridor_Zoning; 02-24-17

The R-3 and R-4 residential zoning districts are the baseline land use controls of the study area, but portions are included in zoning overlay districts that allow additional uses.

Map B-1

High School Area and Edgartown-Vineyard Haven Road Corridor Region

DCPC Overlays

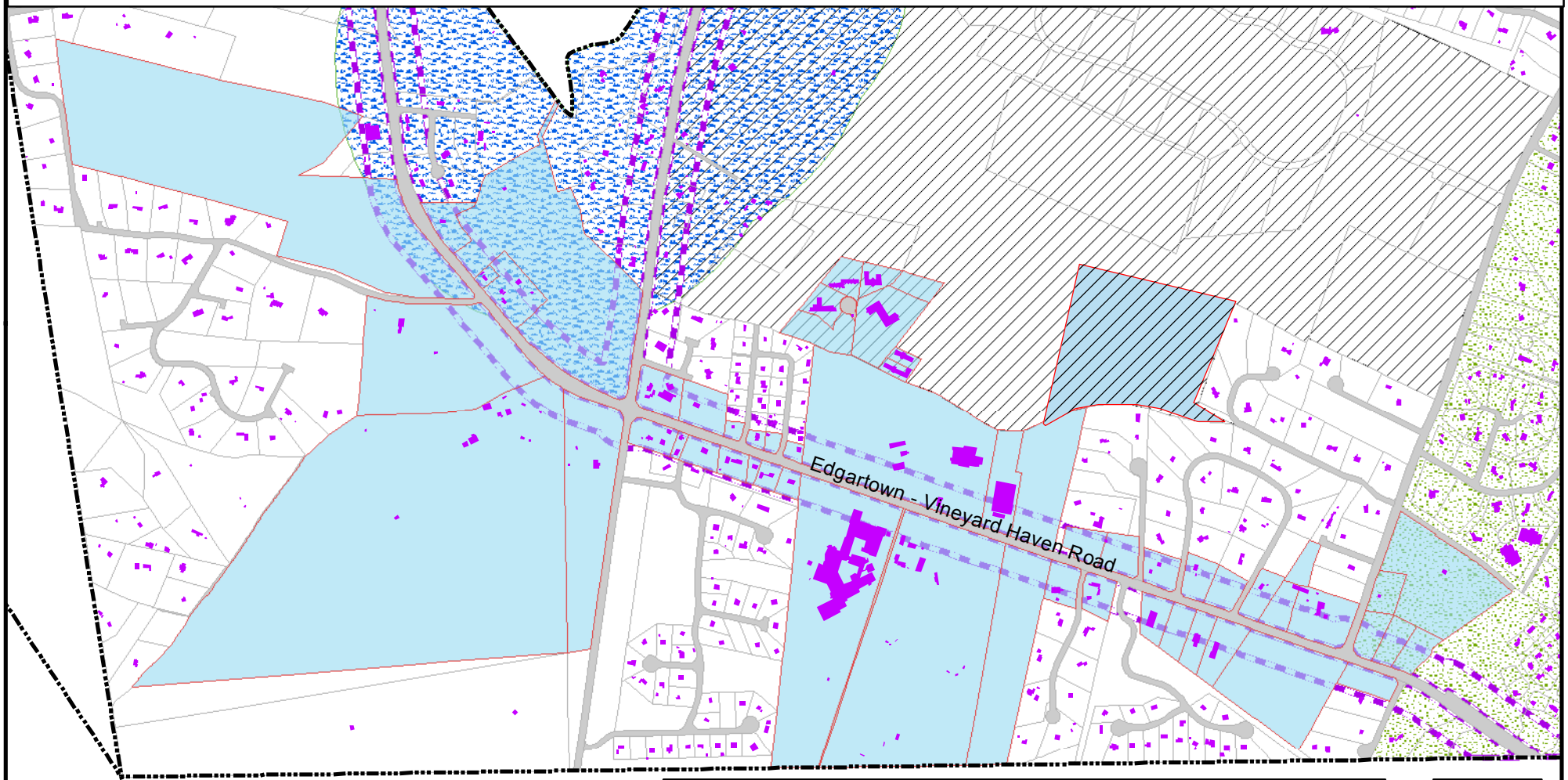
Study Area

Island Road DCPC
(17% of study area; 52 parcels; 73 acres)

Lagoon Pond DCPC (BOH)
(8% of study area; 5 parcels; 36 acres)

Southern Woodlands DCPC
(9% of study area; 9 parcels; 37 acres)

Sengekontacket Pond DCPC (BOH)
(4% of study area; 5 parcels; 16 acres)



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MVC bveno; CB HS Corridor_DCPC overlays; 02-24-17

DCPC: Disticts of Critical Planning Concern are areas recognized by the MVC for special regulations developed, adopted and enforced by the town.

Map B-2

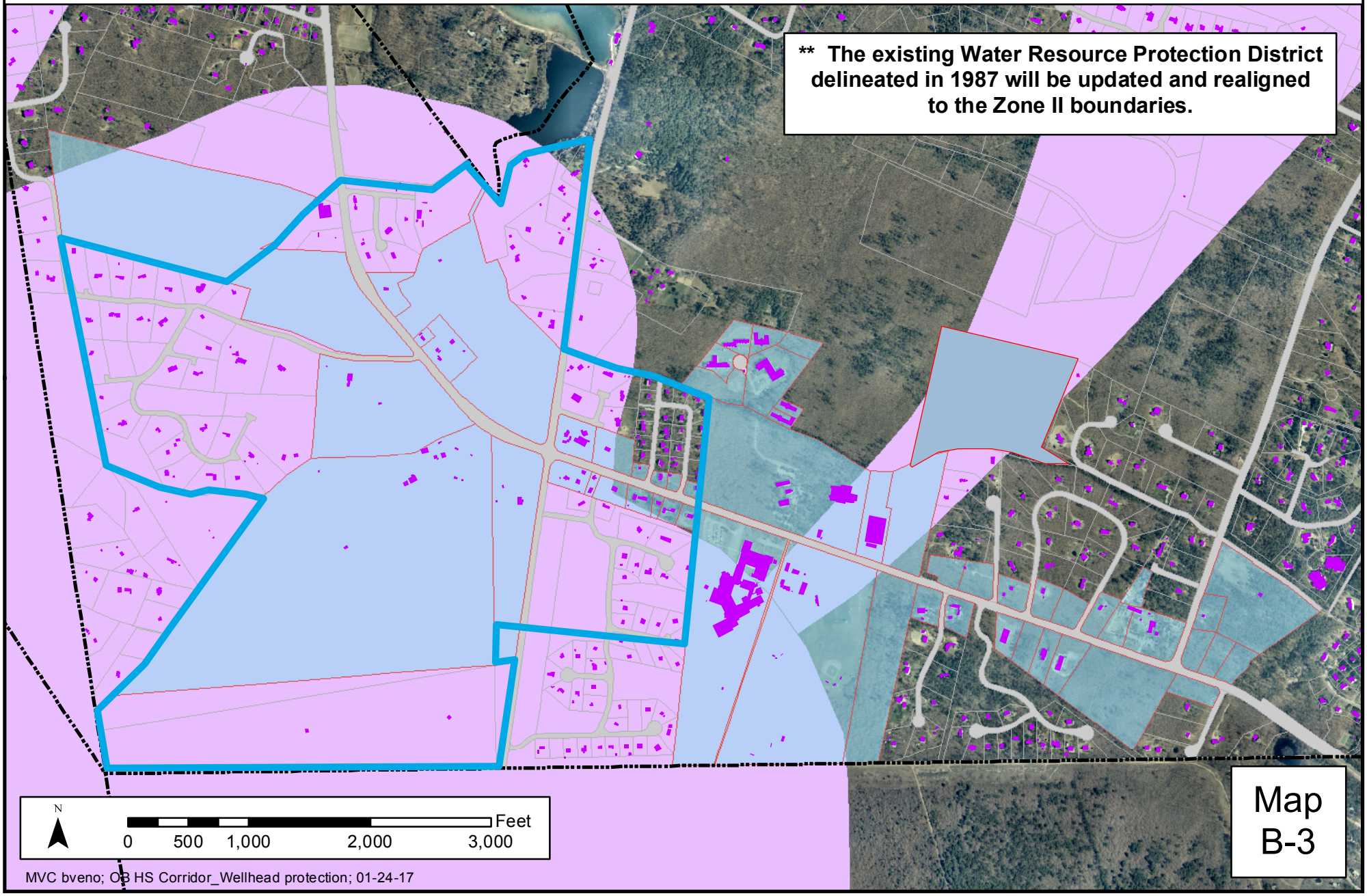
High School Area and Edgartown-Vineyard Haven Road Corridor Region

Wellhead Protection

Study Area

** Water Resource Protection District (46% of study area; 21 parcels; 200 acres)

** Zone II Wellhead Protection Delineation (69% of study area; 23 parcels; 296 acres)



MVC bveno; OB HS Corridor_Wellhead protection; 01-24-17

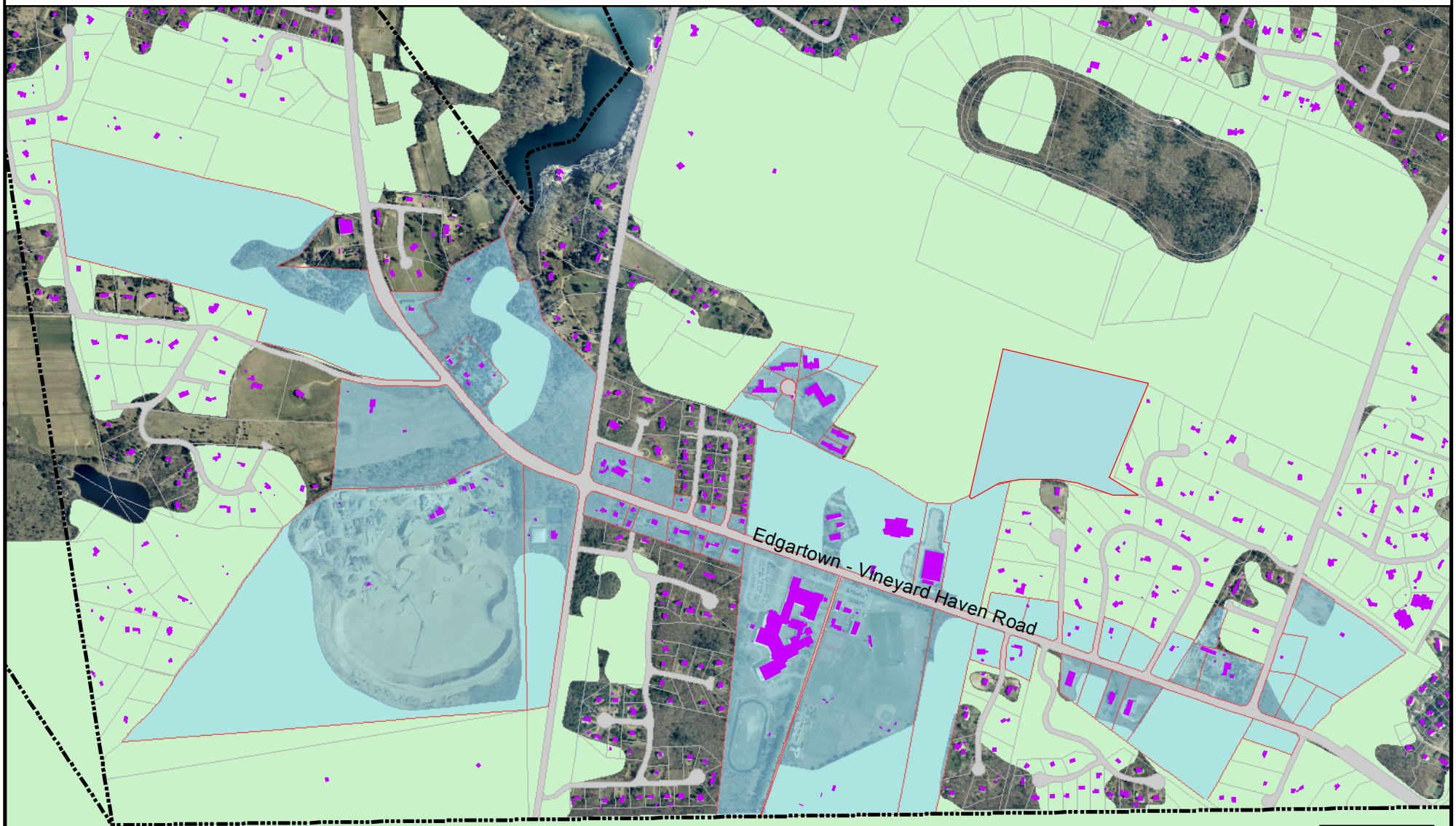
High School Area and Edgartown-Vineyard Haven Road Corridor Region

Natural Habitat Protection

Study Area

Natural Heritage Endangered Species Program Primary Habitat (NHESP)

NHESP in Study Area *
(50% of study area; 27 parcels; 215 acres)



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0 500 1,000 2,000 3,000 Feet

* NHESP layer last updated in 2008. Several developments have occurred since then: YMCA, continued Goodale pit expansion, MV Sharks ballfield, WMVY.

Map B-4

MVC bveno; OB HS Corridor_Natural Habitat protection, 01-26-17

Regulations Controling Land in the High School Corridor Study Area in Oak Bluffs

Regulation	Extent within Study Area	# of Parcels	Acres	% of Study Area	"By Right" Uses	Special Permit Uses	Miscellaneous
Town Zoning							
R-3 Residential (Zoning bylaws)	Entire Study Area south of Old Holmes Hole Road (behind YMCA)	50	396	91%	Single family detached; day-care; home occupations; 750 sf accessory or guest apartment after 5 years residency	Conversion of residence to multiple units (Sec.7); contractor yard or landscape equipment storage as accessory use on lot less than 2 acres; parking of more than 2 commercial vehicles under 15,000 gvw or any vehicle over 15,000 gvw	60,000 sf minimum lot size. A new dwelling may not occupy more than 1/3 of the lot.
R-4 Residential (Zoning bylaws)	Study Area north of Old Holmes Hole Road (Woodside Village and relocated "Donut Hole"); coterminous with Southern Woodlands DCPC	9	37	9%	Single family detached	Residential, recreational, agricultural, open space or municipal use	130,000 sf minimum lot size.
Water Resource Protection Overlay District (Zoning Sec. 8.2)	Both sides of Edgartown-Vineyard Haven Road west of School District property (less 36 acres of Goodales West)	21	200	46%	Those of underlying zoning district	Uses that generate, use or store toxic or hazardous materials in greater quantities than a normal household would use	Prohibited: New underground fuel tanks, chemical treated septic systems, outside storage of salt, fertilizer and pesticides
Potential Updated Water Resource Protection Overlay District	Both sides of Edgartown-Vineyard Haven Road west of roundabout and 500 feet east of roundabout; plus all the high school parcel beyond 300' from E-VH Rd, most of the sports fields parcel, the area of the skatepark, YMCA and Arena, and more than 85% of the Town Resident Homesite Committee parcels	23	296	69%	Those of underlying zoning district	Those of underlying zoning district	In addition to existing WRPOD restrictions: Impervious coverage limited to 15% of lot or 2,500 sf, whichever is greater; storage of commercial fertilizers and manures must be within structures; liquid hazardous materials and petroleum must be above ground, on impervious surface, and in a structure or have containment system
Wireless Communications Overlay District (Zoning Sec. 8.3)	School District, Arena, and OB Resident Homesite Committee properties	5	100	23%	Those of underlying zoning district	Wireless communications facilities	

Regulations Controling Land in the High School Corridor Study Area in Oak Bluffs

Regulation	Extent within Study Area	# of Parcels	Acres	% of Study Area	"By Right" Uses	Special Permit Uses	Miscellaneous
Registered Marijuana Dispensary Overlay District (Zoning Sec. 8.4)	Goodale West	1	56	13%	Those of underlying zoning district	Registered Marijuana Dispensary	
Island Road DCPC (Zoning Sec. XVIII.1.B. p70)	Within 200' of the rights-of-way of Edgartown-Vineyard Haven Road and Barnes Road north of E-VH Rd	52	73	17%	Those of underlying zoning district	In wooded area, pitched roof higher than 24'; flat roof higher than 13'	New curb cuts must be 1,000' apart from existing cuts on same side of road (promotes shared entrances)
Southern Woodlands DCPC (Zoning Sec. XVIII.1.F. p79)	Woodside Village and relocated "Donut Hole"; coterminous with R-4 district	9	37	9%	Those of underlying zoning district	Those of R-4 District; use or storage of hazardous materials; rendering impervious more than 15% of a lot or 2,500 sf; 5 or more residential units; developments involving 15 or more acres, clearing/grading more than 1/3 of a lot, or on slopes greater than 12%; parking for more than 19 vehicles or more than 4,000 sf; crossing or relocation of special ways	Site Plan Review and Special Permits require an archeological assessment for review by Mass. Historic Commission (MHC); a natural resources inventory and management plan; Special Way buffers; natural vegetation retained within 50' of district's perimeter; no structures within 100' of district's perimeter
Town Board of Health							
Lagoon Pond DCPC (BOH regs. Section 2.B. pp. 7-12)	West of Barnes Road and north of Edgartown-Vineyard Haven Road, plus all of Goodale "2nd parcel" frontage back approximately 200'	5	36	8%	Those of underlying zoning district	Those of underlying zoning district	Pumpout of septics every 3 years; limited to 1 bedroom per 15,000 sf of parcel (4 bdrm for R-3 District's 60,000 sf minimum lot size) except that unbult lots less than 45,000 sf as of 1988 may have a maximum of 3 bedrooms
Sengekontacket Pond DCPC (BOH regs. Section 2.C. pp. 13-19)	NE corner of County Road and Edgartown-Vineyard Haven Road intersection	5	16	4%	Those of underlying zoning district	Those of underlying zoning district	Required water quality monitoring wells; BOH to sample generally 6 times yearly; 1 dwelling unit per 60,000 sf; growth rate provision

Regulations Controling Land in the High School Corridor Study Area in Oak Bluffs

Regulation	Extent within Study Area	# of Parcels	Acres	% of Study Area	"By Right" Uses	Special Permit Uses	Miscellaneous
Massachusetts Regulations							
Priority Habitat; Natural Heritage Endangered Species Program (NHESP)	Most everywhere except the roundabout area, Goodale's Pit and the High School and fields	27	215	50%	Those of underlying zoning district	Those of underlying zoning district	The state examines all proposed developments with its mapped records of state-listed endangered species to determine the affect, if any, on flora and fauna. If there will be an effect, components of the development may be required to be repositioned or scaled-back to prevent a "take" of protected resources. If a take cannot be avoided, the developer may be eligible for a Conservation and Management Permit comprised of a plan that provides a long-term net benefit to the conservation of the species. This may involve the off-site protection of 1.5 to 3 times the amount of habitat affected.