

implementation

MVC DRI Review

The MVC reviews Developments of Regional Impact, projects that could affect the people of more than one town. In order to further the goals of the Island Plan, the Commission could revise the DRI Checklist and prepare or revise the policies it uses in DRI review.

- **DRI Checklist:** This outlines the standards and criteria used by towns to determine which permit applications must be referred to the Commission for review. It includes threshold sizes for certain types of development that trigger town referral of a project. The MVC should revise the DRI Checklist to reflect the ideas of the Island Plan, so that proposals in clear conformity with the Plan are not reviewed by the MVC, whereas those that might be more problematic are reviewed by the Commission. The DRI Checklist could include specific mitigation measures which projects could include to offset problematic impacts, and thereby avoid MVC referral.

The MVC's current DRI Checklist has many anomalies which lead to MVC review of relatively minor projects, while other projects with potentially greater impact are not reviewed by the Commission, and sometimes are not even reviewed by any town board. For example, under the current Checklist, a small addition at the rear of a building that had previously been a DRI must be referred by the town board to the Commission for possible review, whereas a 400-foot wind turbine in a significant vista can be erected without any Commission review. Similarly, the addition of 1,000 square feet to a store, even in a commercial area, must be reviewed by the Commission, but the

construction of a 20,000-square-foot house in a traditional older neighborhood or a nine-unit apartment building in the countryside is not. Also, for most DRI Checklist items, the same standard applies across the Island, so 2,000 square feet of new commercial space is the threshold for MVC review, whether the store is located on a quiet rural road or in the heart of a commercial district.

The Martha's Vineyard Commission should consider the following revisions to the DRI Checklist.

- Ensure that it reviews projects of regional impact, but not require review of projects without regional impact by eliminating the need for referring smaller and less problematic projects.
- Allow for projects of limited regional impact to be reviewed at the town level only, where the town has adopted its own mechanism approved by MVC dealing with the critical issue, such as an area master plan, the requirement for special permits for critical projects, an energy code, or nitrogen-loading limits. This is similar to the current provision requiring MVC review of the major modification or demolition of a building more than 100 years old, unless it is in a historic district and will be reviewed by the Historic District Commission.
- In requiring that potentially problematic projects have MVC review, it could spell out how applicants could avoid MVC review by mitigating their regional impacts to meet specific established standards. For example, the Checklist could require that a building in a nitrogen-sensitive watershed be reviewed unless the nitrogen is reduced or offset so it meets an acceptable standard.

A few examples illustrate how this could work (with the quantities for illustrative purposes only).

- The size threshold for commercial projects – presently 2,000 square feet for the whole Island – could be revised to, say, 4,000 square feet for projects in town areas designated for commercial development, provided the project conformed to an area plan which had been prepared by the town and approved by the Commission. On the other hand, the threshold could be dropped to, say, 1,000 square feet for projects outside the commercial areas designated in the Island Plan.
- The threshold for a housing development – now ten lots or units for the whole Island – could be raised, say to 12, in growth areas, and dropped, say to 6, in conservation areas.
- The MVC could require that any house larger than, say, 6,000 square feet be referred to the Commission for review unless it provided pre-determined mitigation for anticipated impacts, such as demonstrating that its nitrogen-loading level was less than the limit established for that watershed, that its fossil fuel use was less than a given standard, that it submitted a construction management plan to the town, and that it was not in a critical watershed.
- **DRI Policies:** Over the past few years, the MVC has prepared policies on several topics to provide guidance to DRI applicants in preparing proposals and to the Commission in evaluating them. The Commission should revise these policies and draft new ones, to reflect the recommendations of the Island Plan.