

MVC POLICY FOR DRI REVIEW

Built Environment



This policy gives guidance to applicants seeking approval of a Development of Regional Impact (DRI) by the Martha's Vineyard Commission regarding the Built Environment. The policy seeks to preserve significant buildings, neighborhoods, streetscapes, archeological resources, and other man-made features, and ensure that new building and other development is harmonious, environmentally sound, and accessible. This document will be used to evaluate proposed development projects referred to the Commission.

This policy is one of a series prepared to help Applicants and members of the public understand how the Martha's Vineyard Commission evaluates proposed Developments of Regional Impact (DRI), as mandated by its enabling legislation, Chapter 831 of the Acts of 1977 as amended.

The Commission is mandated to weigh the benefits and detriments of proposed developments to determine whether they should be approved, approved with conditions, or denied. Consult the Commission's website (www.mvcommission.org/DRI) or office (508-693-3453) to obtain other related documents. This policy reflects MVC practices in reviewing development and subdivisions over the past generation. It is set forth in order to assist Applicants in preparing proposals that address the Commission's concerns.

The Commission will use this policy during review of the benefits and detriments of a DRI and to formulate conditions attached to the DRI if it is approved. It should therefore be used by the Applicant to help design projects and could serve to formulate proposals, or "offers", to mitigate anticipated detriments. Applicants are invited to consult the MVC's DRI Coordinator and Commission staff for help in identifying which policies apply to their project.

This policy is generally a good indication of the Commission's concerns and can help the Commission evaluate the merits of a proposal. However, the Commission weighs the overall benefits and detriments of all aspects of a project, and evaluates each proposal on its own merits. Based on the particular circumstances of each proposal, the Commission could deny a project that respects some or even all of this policy or might approve one that does not meet all parts of the policy. The Commission recognizes that there might be special circumstances whereby deviations from the policy are appropriate.

Table of Contents

1 Introduction	3
2 Historic Preservation	6
3 Community Character	15
4 Universal Access	20
5 Green Building	21
6 Impacts on Abutters and Public	23
7 Archeology	26
8 Building Resilience	28
9 Using the Policy in a DRI Application	31
Glossary	34

Applicants should consult with the DRI Coordinator and MVC staff early in the application process to understand how to proceed and get the relevant documents and guidance. Please refer to the MVC website – www.mvcommission.org – for links to documents and websites referred to in this document. (Note: defined terms are capitalized.)

Adopted by the Martha's Vineyard Commission on June 4, 2015.

This policy was written in part with funding provided by the Massachusetts Department of Housing and Community Development (District Local Technical Assistance Program).

1. INTRODUCTION

The Vineyard's beautiful, historic, and cohesive built environment – everything man-made – is among the most remarkable in the country and is an important part of the scenic beauty and sense of place at the heart of the Island's character, identity, and visitor-based economy.

Traditionally, Martha's Vineyard was made up of historic town and village centers, each with its own distinct character such as the white clapboard public buildings and grand residences of Edgartown, the fanciful multi-colored Victorian cottages in Oak Bluffs, and the fishing shacks of Menemsha. These were surrounded by traditional neighborhoods and linked by rural roads lined with stone walls and dotted by roadside farmhouses.

For centuries, most buildings were in what is now called the Cape Cod style, simple, broad, framed buildings, generally a story-and-a-half high, with gable roofs, weathered shingle walls, and little ornamentation, designed to withstand the stormy climate. The later part of the 19th Century and the early 20th Century saw new styles introduced, mostly Greek Revival and other Neo-Classical Styles, though Gothic Revival and a number of other styles were popular in Oak Bluffs. There is a strong tradition on Martha's Vineyard of continuing, from one generation to the next, to build in the local vernacular of forms, materials, and styles.

In recent decades, much development has reinforced these distinct, diverse, traditional Vineyard patterns and character, so almost all parts of the Island and most newer buildings reflect the Island's distinctive sense of place. However, some recent building has undermined these traditional patterns. Martha's Vineyard's unique,



Edgartown's Old Whaling Church.



The multi-colored cottages in the Oak Bluffs' Campgrounds were built in a variety of Victorian styles.

coherent, built environment is increasingly threatened by demolition of significant older buildings and by construction of new buildings that don't fit their surroundings because of their location, size, or design, or that are not environmentally sound.

Zoning alone cannot ensure that the quality of the Vineyard's built environment is protected. Most of the Vineyard's zoning regulations, adopted in the 1970s and based on standard formulae used across America, deal only with setbacks and heights, and allow construction that could be problematic. Until recently, this was not so much of a problem since most people erected buildings much smaller than the maximums permitted in zoning regulations and there was a strong practice of building in the traditional vernacular of building forms, materials, and styles.

However, the Vineyard's high current property values, changing lifestyles, and the fact that we are running out of vacant land are increasingly leading people to propose much bigger projects such as by minimizing setbacks, maximizing building heights, and using flat instead of sloping roofs. This is exacerbated by a growth in the number of people with few ties to the Vineyard who buy properties here and hire architects or builders from different parts of the country who may not be aware of or sensitive to the particularities of Vineyard building traditions or neighborhood character.

Though most new buildings are well-conceived, a few poorly designed buildings in highly visible locations could seriously undermine the Island's character. This can negatively impact residents' quality of life and the attractiveness of the Vineyard as a visitor destination, which would then affect the Island's economy as well. Investment and property values on the Vineyard are enhanced when people investing in their properties know that their surroundings are protected.

The MVC's Built Environment DRI Policy looks at seven main aspects of the Island's built environment.

1. Historic Preservation: This deals with the buildings and areas with cultural value to the community, including Historic Buildings, Historic Districts, Historic Areas, Traditional Neighborhoods, roadscapes, and other man-made features.
2. Community Character: This deals with the broader issue of maintaining general neighborhood and Island character by ensuring that new construction is compatible with existing areas.
3. Green Building: This deals with how we can increase the efficiency with which new and existing buildings use resources such as energy, water, and materials, while reducing building impacts on human health and the environment.



The simple forms and consistent materials of the humble vernacular fishing shacks in Menemsha give the area a charming, unified character.

4. Universal Design: This section deals with designing buildings and settings so they can be used by people with limited mobility.
5. Impacts on Abutters and the Public: This section deals with how to mitigate the light, noise, construction, and other impacts of buildings on their abutters and the general public.
6. Archeology: This section deals with the identification and protection of archeological resources.
7. Building Resilience: This section deals with how buildings can be designed to reduce the impacts of natural hazard.

Table 1: A Building's Defining Characteristics

The concept of preserving or harmonizing with a building or area's defining characteristics is used in the policies on historic preservation and community character. The main components that go into defining the character of a building include the following.

- Siting: This includes the building's location on the property and orientation, notably in relation to the street and to nearby buildings. In town, a new building or addition's siting should reinforce the village pattern. To preserve the natural character of rural areas, it is usually desirable to locate a new building to minimize its visibility from nearby roads and the coast, and to avoid siting new buildings in open fields, in significant Viewsheds, and on the crests of hills.
- Massing: This includes the shape, height, bulk, and roof shape and angle. On Martha's Vineyard, many larger buildings are made up of a series of smaller connected volumes.
- Window and Doors: This includes the percentage of the building's facades that are used for window and door openings, the shape of the window openings, the location of the front door (e.g. whether it faces the street), and the design details.
- Secondary Components: These include projections, porches, entranceways, stairs, and lighting, decks.
- Materials: Almost all buildings on Martha's Vineyard are wood, with the exception of a few brick and fieldstone buildings, usually public buildings. Most buildings in historic town centers are clad in siding – multicolored in Oak Bluffs and white elsewhere – while buildings in rural areas are typically weathered natural cedar shingle.
- Details and Style: In historic districts with a very consistent architectural style, it may be desirable that additions and new buildings be in the same style and with similar detailing. In some cases, it may also be acceptable or even desirable to use simplified detailing and a more contemporary style, provided the design conforms to the other defining characteristic of the original building or Context Area (see guideline 3.2).

2. HISTORIC PRESERVATION

Historic Significance: Buildings and other structures may be considered historic as a result of one or more of the following factors. (Refer also to the National Register of Historic Places Eligibility Criteria.)

- Basic Criteria:

- How old is the building? There is no specific age that automatically confers Historic Significance, though 100 is often used as an indicator. Some buildings that are only 75 and even only 50 years old might also be significant depending on other factors. Some 2,689 buildings more than 100 years old still stand on the Vineyard, as do another 1,803 built before the end of World War II.
- Is the property associated with individuals, events, activities, or developments that shaped our history or that reflect important aspects of our history?
- Does the structure embody the distinctive physical and spatial characteristics of an architectural style or type of building, structure, landscape, or planned area, or a method of construction, or embody high artistic values or fine craftsmanship?
- Does the structure have the potential to yield information important to our understanding of the past through architectural, archaeological, or other physical investigation and analysis?



Edgartown's historic town center is characterized by its formal residences, mostly clad in white clapboard.

- Integrity:

- Does the structure retain its historic physical integrity?
- Is the building, structure, landscape feature, historic site, or historic district relatively unchanged or, at least, still have its essential Character-Defining Features relative to its significance?
- Do later alterations have significance in their own right?

Note that integrity is not the same as condition; a building can be intact and historically significant but in poor condition, or in good shape after losing important Character-Defining Features.

There are a number of different types of federal, state, MVC, and town recognition or designation of Historic Buildings and districts, each of which is associated with a different type of legal requirements. These include listing on the National Register of Historic Places or a determination of eligibility of being listed, listing on the Massachusetts state register, town designation of a historic district, MVC designation of a historic District of Critical Planning Concern, and identification of the historic value of a building on an inventory or as a result of a study of that building.

National Register of Historic Places: There are eight buildings, five lighthouses, four local historic districts, and six sites listed in the National Register of Historic Places (2015). Listing does not directly afford the building any legal protection. However, it does make it eligible for tax credits for substantial rehabilitation of income-producing properties in conformance to the U.S. Secretary of the Interior Standards (see section 2.5 and table 3).

Inventories of Historic Buildings: In 1998 to 2000, Historic Building surveys were undertaken for all six Island towns. Though these were not exhaustive inventories and only covered limited town areas, more than 150 structures and places were recommended as being Eligible for Listing on the National Register of Historic Places either individually or as part of districts and additional properties were recommended for further study. Additional efforts to expand the areas that have been inventoried and to update earlier surveys have been and presumably will be undertaken.

Table 2: **Martha's Vineyard's Locally Designated Historic Districts**

The following are locally designated historic districts:

- Edgartown Local Historic District (about 185 acres and 676 buildings); which is also part of the Edgartown Village Historic District (on the National Register since 1983)
- Cottage City Historic District, Oak Bluffs, (125 acres and 413 buildings),
- William Street Historic District, Tisbury (20 acres and 79 buildings); also on the National Register since 1983,
- West Tisbury Historic District (237 acres, 146 buildings)

In addition, the following are listed on the National Register:

- The West Chop Club Historic District, Tisbury (19 acres and 6 buildings), on the National Register since 2007).
- Gay Head - Aquinnah Town Center Historic District (70 acres, on the National Register since 1999), [is it 240 acres since 2001?]
- Wesleyan Grove (Methodist Campground) in Oak Bluffs (33 acres and 284 buildings), on the National Register since 1978 and a National Historic Landmark since 2005.)

Finally, the Copeland Plan District Oak Bluffs (140 acres and 456 buildings) is designated by the MVC as a District of Critical Planning Concern. It operates in a similar fashion to a locally designated Historic District.

Historic Districts: Martha's Vineyard has four local historic districts officially designated under section 40C of the Massachusetts General Laws. After a district is designated by a town, any demolition, construction, or exterior alteration is subject to the approval of the local Historic District Commission. Of the 3,968 buildings built before World War II (1939), only about 744 are located in the Island's locally designated Historic Districts (which cover 466 acres). In addition, two of these districts and three others are National Register Historic Districts, though this does not afford any review process or legal protection.

Historic Commissions: There are also five town historic commissions that take a general interest in preserving historical resources in the community. For Chilmark and Oak Bluffs, towns with Demolition Delay Bylaws, it is the town historic commission that can designate a building as "Preferably Preserved", setting in place a temporary moratorium on demolition.

Other Historic Areas and Buildings: Most of the Island's Historic Buildings are concentrated in historic town centers, Traditional Neighborhoods, and along historic roads, only a fraction of which lie within officially designated Historic Districts. The Island Plan – Martha's Vineyard comprehensive plan adopted by the MVC in 2009 – identified three types of areas which, together, include a significant proportion of the pre-1946 buildings, though they represent only 5% of the land area.

- Historic Areas: This category is made up of areas with high concentrations of buildings over a hundred years old. They encompass the four officially designated historic districts and other areas such as the town centers of Edgartown, Oak Bluffs, Tisbury, West Tisbury, and Menemsha.
- Traditional Neighborhoods: These areas, outside the Historic Areas, have high concentrations of buildings built before the end of World War II.
- Scenic Roads: The roadside Viewsheds of the Island's main roads are significant for a combination of historic, natural, and visual reasons including the buildings, stone walls, and other man-made features. Scenic Roads Viewsheds were identified in the Island Plan, and may be updated by the Commission in the future.



Alleys is in the West Tisbury Historic District.

In addition to the pre-World-War-II buildings in the locally designated historic districts:

- 1,866 are concentrated in Historic Areas (about 2,170 acres for the Island) outside the four protected historic districts and 433 in Traditional Neighborhoods (about 545 acres), areas identified in the MVC's Island Plan, and
- 925 are found scattered in other locations throughout the Island.

Historic Buildings in locally designated Historic Districts are generally well protected with district regulations and commissions. In an Historic District or Area, there is concern not only about the buildings which have Historic Significance in their own right, but also about Contributing Buildings and Structures that, by their location, design, setting, materials, workmanship, feeling and association, add to the site's or district's sense of time and place and historical development.

Massachusetts law also provides for municipal designation of individual structures as single-building historic districts but none have been so designated on Martha's Vineyard. Towns can also adopt demolition delay bylaws that allow withholding demolition permits for a limited period of time, in the hope of finding a way of preserving the Historic Building. The MVC's DRI Checklist requires that towns refer any application to demolish a building identified as historic or more than 100 years old outside a locally designated historic district to the MVC for DRI review. This MVC DRI review may be the only legal means to provide permanent protection to Historic Buildings on Martha's Vineyard outside designated districts.

Massachusetts Historical Commission: Any new construction projects or renovations to existing buildings that require licenses or permits, or receive funding, from any state or federal governmental agencies must be reviewed by the Massachusetts Historical Commission (MHC) for impacts to historic and archaeological properties. (Note that listing in the National or State Registers of Historic Places does not in itself trigger MHC review.) This requirement and review is independent of the MVC's process, although the two agencies will make an effort to coordinate this review.

In addition, the MVC may seek the advice of the Massachusetts Historical Commission (MHC) in evaluating the Historic Significance of a property – notably whether it is eligible for listing on the National Register of Historic Places – and identifying appropriate protection measures. Note that even if the MHC determines that the historic resources don't rise to the level of being eligible for the National Register, the MVC may determine that the resources have significance for Martha's Vineyard, and merit protection.

Goals

Preserve historically significant buildings and Character-Defining Building Features, groups of buildings, and other man-made structures.

Ensure that changes to an existing Historic Building and new construction harmonize with the existing building, the site, and the area.

Guidelines

2.1 Meet the U.S. Secretary of the Interior Standards

- Projects should meet the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preservation, Rehabilitation, Restoration, and Reconstruction of Historic Buildings, using the applicable standards for the resources and type of intervention planned. (See Table 2) The remaining guidelines in this section are an amplification of these standards.

Table 3: Secretary of the Interior's Standards for Rehabilitation

The Secretary of Interior's Standards provide good guidance for the treatment of all Historic Buildings. The Standards are used by government authorities to review projects involving federal and state approvals and funding. Substantial rehabilitation projects to income-producing properties must meet these Standards, as interpreted by the National Park Service, to be eligible for a rehabilitation tax credit. The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

Standards apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2.2 Identify and preserve the distinctive Character-Defining Features of Historic Buildings, historic streetscapes, and other historic structures, protecting them from destruction or inappropriate alteration.

- Identify and preserve the Character-Defining Features of the building, especially as seen from the public way. These include the Defining Characteristics listed in Table 1, namely siting: massing, window and doors, secondary components, materials, details and style.
- Preserve the original elements and materials, repairing as necessary.
- If a feature is deteriorated beyond repair, it should be replaced with a new component that matches the original in design, color, texture, finish, other visual qualities, and wherever possible, materials. Avoid aluminum and vinyl siding, windows with simulated mullions (other than those with factory-installed muntin bars on both sides and spacer bars), shutters not traditionally used on that style of building or non-operable, and other generic “old-fashioned” features that do not reflect the historic design of the actual building. Composite wood may be an acceptable substitute for painted trim and siding, but not for shingles since it doesn’t weather.
- Replacement of missing features should be substantiated by documentary, physical, or pictorial evidence.
- A building should be kept in its original use if at all possible. If the existing use is no longer viable, choose a new one that requires minimal change to its defining characteristics and features as much as possible. In changing a building’s use, such as from residential to commercial or vice versa, preserve the original features as much as possible.
- Provide handicapped access in a way that minimizes impacts to the historic character of the building.
- Locate modern equipment such as air conditioners, exhaust devices, antennae, skylights, utility meters, propane and other tanks, heat pumps, and other appurtenances out of the public view or conceal them so as not to detract from the building’s historic character, generally by making them as small as possible, placing them to the rear or on secondary sides, and screening them with vegetation. Solar panels are best placed at the rear or side, where they are less obtrusive,



Repair rather than replace historic building elements. When replacement is necessary, it should be done in kind.



This new addition to a house in Oak Bluffs’ North Bluff harmonized with the original house’s defining characteristics of roof shape, window style, and materials.

2.3 Tailor the intervention to the building or structure's significance and integrity.

- Identify the historic or architectural significance of the building and tailor the work to be done to this significance as follows.
 - The most significant buildings and other structures should be carefully preserved intact.
 - With buildings of moderate importance, some flexibility about changes or additions that don't affect the Character-Defining Features or are not visible from the public way may be appropriate.
 - Buildings of little value, even in Historic Areas or Traditional Neighborhoods, could be altered or replaced, provided the result is respectful of the context.

2.4 Design additions to historic structures to respect and be consistent with the existing building.

- Additions should be secondary to the main structure and should be located where they don't impact the historic character of the building or its visibility from the public way.
- Additions should harmonize with the defining characteristics of the Historic Building, including massing, roof shape, window and door openings, and materials. In some cases, such as with a distinct volume being added to a building with great significance, the detailing could be somewhat simplified to subtly distinguish the recent addition from the historic structure.
- For buildings of exceptional Historic Significance, additions should be designed so that they could be removed in the future and leave little or no damage to the original Historic Building.



Shingled buildings should normally use unpainted natural cedar that is allowed to weather, as seen on the West Tisbury Town Hall. With siding, natural wood is preferred but painted artificial clapboard may be an acceptable alternative for new construction and for buildings of lesser Historic Significance.

2.5 Ensure that new infill buildings in Historic Areas harmonize with the defining characteristics of the existing buildings and areas.

- Identify the Context Area within which the building is located, i.e. the block, neighborhood, or stretch of road that has similar characteristics and/or is perceived in relation to the building in question.
- Identify the defining characteristics of the buildings in the Context Area. This includes the building features listed in Table 1, including the alignment of buildings (minimum and maximum setbacks), relation to street, distance between buildings, presence of fences, volume, density, scale, materials, roof shape, solid-to-void relationship of windows and doors, the presence of secondary buildings (garages, guest houses etc.). Alignment is the placement of architectural elements such as the horizontal location of building walls,

and the vertical location of windows, cornice elements, soffits, awnings, etc. or structures in a manner that promotes continuity along a roadscape or streetscape.

- Identify how homogeneous the Context Area is. In areas that are very homogeneous, it is especially important that new buildings confirm to those characteristics. If there is already a lot of variation, then there is more flexibility for the new building provided it respects those features that are consistent. (For example, if all the buildings on a street are white siding, a new building should also have white siding. If half the similar buildings have white siding and half have grey shingles, either is acceptable. But in either case, turquoise aluminum siding would not be appropriate.)
- See also the guidance in Section 3: Community Character.



2.6 Avoid Demolition of Historic Structures

- Demolition of historic buildings and other structures will not normally be permitted, especially for buildings of greatest significance such as those listed on or eligible for the National Register of Historic Places. There is no requirement to preserve additions or other previous changes to historic structures that do not have significance in their own right.
- Demolition might be considered in the case of buildings or parts of buildings of lesser historic or architectural importance if it is clearly demonstrated that the building has fallen into gross disrepair, particularly through catastrophic mishap. The Commission could also consider economic hardship where the owner demonstrates that he or she would otherwise be denied all reasonable or beneficial use of his or her property, considering:
 - the applicant's knowledge of the property's significance at the time the property was purchased,
 - the extent to which the hardship is self-created,
 - efforts to sell or list the property in its "as is" condition, and
 - the economic feasibility of alternative uses for the property.
- Historic Buildings should normally be preserved on their original sites. However, for buildings of lesser importance, the Commission may consider a proposal to move the structure as a last resort, in which case the new location should be as close as possible to the original location, the building preferably has a similar relation to the street and site, and the building owner takes responsibility for finding the new location and coming up with a satisfactory agreement arranging for and funding the move.

- In the rare cases where demolition might be considered, the replacement structure should already be approved and there should be a guarantee that it will be built in a timely way. Otherwise, the Historic Building should be Stabilized (mothballed), i.e. closed up temporarily to protect it from the weather and secure it from vandalism until the property is developed. It is not acceptable to simply demolish a historic to clear a site without a replacement project, unless there is an immediate public danger.



- In the rare case when the demolition of a Historic Building is approved, documentation of the existing structure may be required for archival purposes, with drawings and photographs to be submitted to the town library and the Martha's Vineyard Museum.

2.7 Consider Exemptions from Other Policies

- To allow successful historic preservation projects, the Commission may consider relaxing or providing an exemption from other policies such as easing parking requirements and use restrictions, or allowing greater lot coverage and floor area.

3. COMMUNITY CHARACTER

As new buildings are built and others are altered, it is of great importance that the Vineyard's character be retained with respect to the vast majority of the Island areas and buildings that may never be officially designated as "historic". This is especially important as seen from major public roads and vistas, and from public waters – ponds and the ocean.

Martha's Vineyard is more about fitting in than standing out. The whole Island's cohesive built environment sets the whole Island apart from the rest of America, with its cookie-cutter suburban sprawl and its "Anywhere USA" strip commercial development. This is largely because, until very recently, Martha's Vineyard builders continued to follow traditional local forms (typically a combination of several simple building volumes with steeply sloping roofs) and materials (typically white siding in some towns, cedar shingles elsewhere). However, in recent years, some new buildings were erected whose size, style, and materials are not in the Vineyard tradition.

Roadside and Coastal Character: We might think that the Island's scenic main roads will maintain their natural character indefinitely. In fact, about 540 buildings could be built along these roads under current town zoning. Furthermore, nothing prevents owners of roadside properties from removing the roadside vegetation that currently provides vegetative screening. The result would transform the rural part of the Island into what would appear to be a densely built suburb. Also of concern is the view of the Island from the water, namely ocean, sounds, and ponds surrounding and located on the Vineyard. The MVC's DRI Policies on Open Space and on Site Design and Landscaping discuss siting buildings and preserving vegetation to minimize the visibility of new construction. To the extent that future buildings along the road and coast are visible, it is important that they fit into the Island's distinct character.

Neighborhood Scale: In recent years there has also been increasing community concern about the construction of new buildings that are so large that they overwhelm their neighborhood or nearby residents.

Pedestrian Friendliness: In town centers and shopping areas. It is especially important to provide a pedestrian friendly experience. This can be compromised by buildings that are set too far back from the sidewalk and are oriented to parking lots rather than the street, that present excessively long single uses or blank walls to the street, that are too massive, that offer little visual interest, and that have inappropriate signage. Such streets make pedestrians feel small, out of place, and insecure. These concerns apply not only to traditional pedestrian-oriented shopping streets such as Main Street in Vineyard Haven, Circuit



Even though it was a large-scale new development not visible from a major road, Morgan Woods in Edgartown included efforts to respect the Vineyard vernacular, with smaller volumes, gable roofs with broken rooflines,, porches, and typical Island windows and materials.

Avenue in Oak Bluffs, and Main Street and Water Street in Edgartown, but also to more recent and future commercial areas such as Upper State Road in Vineyard Haven and Upper Main Street, the Triangle area in Edgartown, and Dukes County Avenue in Oak Bluffs. In these areas and throughout the Island, signage should be used to help people find their destinations, not as vehicles for promotion.

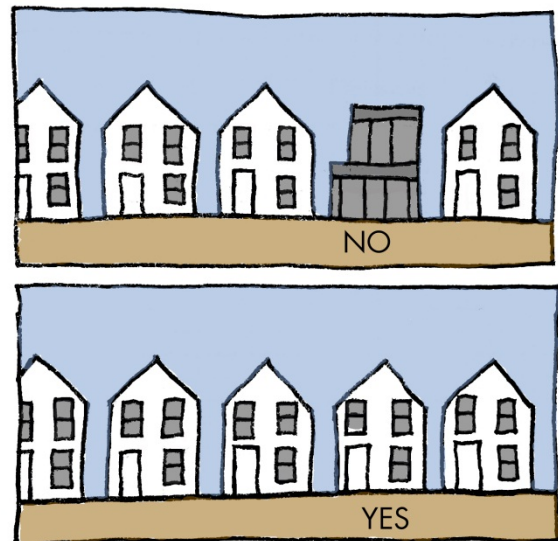
Goals

Design new buildings and other man-made features to harmonize with the specific character of their neighborhoods or natural settings, and minimize any negative impacts on Island character and on abutters. This is especially important as seen from major public roads and vistas, and from public waters – ponds and the ocean. In many natural areas, this means limiting the visual presence of new development. Seek design excellence in all new work.

Guidelines

3.1 Ensure that new buildings and other structures use forms, design features, and materials that harmonize with the character of the area in which the project is located as well as the overall character of the Vineyard. Tailor the intervention to the visibility of the project, and the character and integrity of the area in which it is to be located.

- Identify what constitutes the Context Area for the intervention, i.e. the area whose buildings and properties share similar defining characteristics and/or a neighborhood, streetscape, or other area that is perceived of as distinct.
- Identify how significant the Context Area is. It is especially important that great care be taken with buildings in highly visible areas or that are located in areas with distinctive character. Especially visually critical areas include:
 - Town Centers: This includes the main shopping streets and those waterfronts and downtown neighborhoods that define the town's character and are most frequented by visitors.
 - Scenic Roadside Viewsheds: This includes the Viewshed along the Island's main roads made up of the first 100 feet in wooded areas, the visual extent of open landscapes (e.g. fields, low vegetation found in areas such as Moshup Trail and Cape Pogue), as well as scenic vistas from public spaces.
 - Public Open Space Viewsheds: This includes the areas around or highly visible from public open spaces including parks and beaches.



In a streetscape or neighborhood with an established character, a new building should harmonize with the defining characteristics.

- Public Waters Viewsheds: Areas clearly visible from offshore in coastal ponds and the ocean.
- Identify the defining characteristics for the area or roadscape in which the project is located, such as those identified in Table 1, noting which are most homogeneous.
- Ensure that the design of the new project conforms to these characteristics, especially those that are most homogeneous in the Context Area and are the most important in defining the area's character. Given the overall visual harmony that distinguishes Martha's Vineyard, the use of striking contrast is not appropriate. On Martha's Vineyard, this typically means building design features that include the following:
 - Gable roofs, or other sloping roof forms,
 - Window and door openings representing 40 to 60% of the façade,
 - Vertically oriented windows in older neighborhoods,
 - Natural, unpainted, untreated cedar shingles or other wood exterior materials along with brick (usually for foundations), glass, and in some cases stone.



Note that the building design will be less critical for projects with no or limited visibility to the public and abutters, and the Commission may choose not to review their architectural design. This could include projects that are clearly demonstrated to have limited visual impact from the public way and abutters, for example:

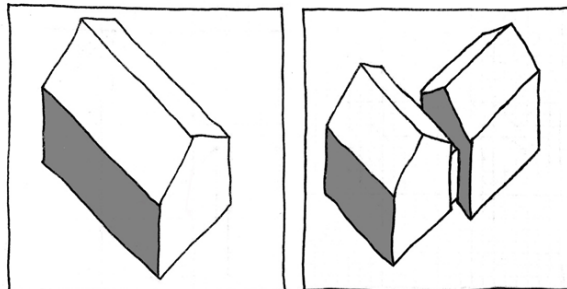
- by being set so far back from Scenic Roads that they can't be seen,
- by maintaining a permanent 100-foot no-cut vegetated buffer along Scenic Roads between the building and the scenic road,
- by being set back and visually narrow as seen from the coast, and
- by having limited visibility to abutters.

3.2 Ensure that large buildings are designed so their scale harmonizes with their surroundings.

- Divide the floor space into several structures or as interconnected smaller volumes, which relate to the volumes and forms of surrounding buildings.
- Vary the exterior materials of sections of the building, if such variety is appropriate for the streetscape.
- Bring down the building edges of a tall building by extending roofs down to a lower height or by introducing low building projections or arcades.

3.3 Ensure that commercial buildings reinforce the vitality, visual interest, and pedestrian activity of shopping streets.

- Ensure that new buildings follow established setbacks, building forms, and materials.
- Design new commercial buildings to front on the street and use the ground floor exclusively for ground-level retail and building access.
- Avoid long blank walls or single uses by ensuring that no single store or other commercial use extends more than 75' along the sidewalk, that at least 50% of the frontage is used for storefronts, and that there aren't sections of blank wall more than 20' long without windows, doors, or show windows.
- Break up long walls and large volumes into smaller-scale elements similar to the established pattern along the street.
- Incorporate smaller tenant spaces along the sidewalk to screen the front of larger or less pedestrian-friendly spaces.
- Incorporate pedestrian-scale architectural features and detailing.
- Design storefronts and signage to integrate into the architectural design of the building.
- Set back larger commercial buildings from the road and screen them with smaller buildings, arcades, or projections that provide more pedestrian friendly scale and interest along the sidewalk.
- Use the minimum number and size of signs, and design them to be compatible with scale and character of the building, adjacent buildings, and the streetscape. If there is more than one use in a building or on a property, signs that are not part of a storefront should be grouped in a single directory sign for a unified appearance.
- Signs in residential areas, if allowed in town zoning, should be small scale and unlit.
- Locate loading and delivery areas and outdoor storage to minimize their visibility and screen them where possible.



For a new building that is larger than those surrounding it, the building should be expressed as an attached collection of smaller volumes of a compatible scale.



Tisbury's Main Street is a pedestrian-friendly shopping street with narrow frontages and sidewalk-level, transparent shop windows.

3.4 Preserve important views and vistas.

- Buildings and other structures should be sited and designed to maintain and enhance significant views and vistas, especially from public spaces such as roads, overlooks, parks. These include:

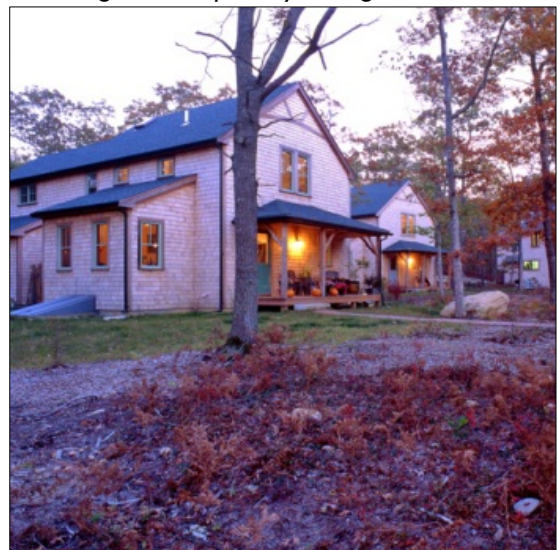
- water views of the ocean, ponds, harbors, etc.,
- views of fields and other significant open space.
- See also the DRI Policy on Site Design and Landscape.

3.5 **There is some flexibility with respect to building style outside of historic districts and for non-historic structures.**

- Small changes or extensions to an existing building are generally best designed to match the style of the original building, with the same exterior materials, and similar roof shape, window openings, detailing, etc.
- Larger additions to existing buildings can match the style of the original building and new buildings in a streetscape or area can match the style of the other buildings.
- Another approach for new buildings, and larger additions to existing buildings that are volumetrically distinct from the main building, is to use contemporary design ideas and detailing that nevertheless harmonizes with the original building or streetscape, using similar forms, materials, or other features.
- For new buildings not part of a roadscape or neighborhood with traditional character and with limited visibility from the public way and abutters, there is far greater flexibility on the design approach.



The Polly Hill Arboretum Visitors' Center is not visible from off the property. Though of contemporary style, its form and materials are typical of the Vineyard.



4. UNIVERSAL ACCESS

About 20 percent of the US population has some type of long-lasting condition or disability. The 1990 Americans with Disabilities Act (ADA) prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life. The ADA includes Standards for Accessible Design that outline requirements to facilitate access, dealing with the need for and dimensions of features such as elevators, ramps, doors and corridor width, mainly for public accommodations and commercial facilities, recreational facilities, streets and sidewalks, and other elements of the built environment.



Some level of universal access is a concern for facilities that don't trigger the need for ADA requirements. For example, over the life of a home, it is likely that at least some residents will have limited mobility, at least for periods of time, or will have visitors with limited mobility. However, newly constructed homes often contain the same major barriers as older, existing homes such as steps at every entrance, and narrow interior doors, with the bathroom door usually the narrowest door in the house.

Visitability is the term used for a set of features that make homes easier for people who develop a mobility impairment to visit friends. These features provide basic access to permit formerly non-disabled people to remain in their homes if they develop a disability, rather than forcing them to do expensive renovations, relocate to a different house, live in an inaccessible home which endangers their health and safety, or move from the community into a nursing home.

Goal

Design new buildings to facilitate universal access.

Guidelines

4.1 Meet Applicable ADA Requirements.

- Determine whether the ADA requirements apply to the project and, if so, demonstrate that the project is in conformance.

4.2 Incorporate Visitability Features in Residential Construction

- Design all homes, unless clearly infeasible, in such a way that they can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers with the following features:
 - At least one zero-step entrance on an accessible route leading from a driveway or public sidewalk,
 - All interior doors providing at least 32 inches of unobstructed passage space, and
 - At least a half bathroom on the ground floor you can get into in a wheelchair.

It is also recommended that the home include a full bathroom on the ground floor, and a bedroom or space that could be converted to a bedroom on the ground floor.

5. GREEN BUILDING

The world is recognizing that we need a major shift in how we deal with energy and the environment. It is important to increase the efficiency with which our buildings use resources — energy, water, and materials — while reducing building impacts on human health and the environment. This can be done through better siting, design, construction, operation, maintenance, and removal — the complete building life cycle.

These concerns can be dealt with in a way that is respectful of the other goals and guidelines in this policy. For example, renewable energy facilities, such as solar panels and wind turbines, should be located and designed to minimize their impact on scenic values and historic resources.



New buildings in Massachusetts are required to meet the Stretch Energy Code (already adopted in Tisbury and West Tisbury) or the state Building Code's Energy Efficiency Provisions (in effect in the other towns) that set minimum energy conservation standards. This can be achieved by installing high-efficiency heating systems, ensuring insulation is high standard and correctly installed, making sure air infiltration sealing is done well, and putting in highly efficient light fixtures and bulbs.

Please refer also to the MVC Policy on Energy and Environmental Building Policy.

Goal

Use environmentally sound “green building” techniques.

Guidelines

5.1 Use environmentally sustainable building practices.

- Use techniques such as:
 - Minimizing demolition of existing buildings or scrapping of building materials, and ensure that those materials are reused or disposed of in an environmentally sound way.
 - Orienting buildings for maximum solar gain, provided this is compatible with traditional building patterns in Historic Areas and other significant locations.
 - Using green building materials such as those that are reclaimed, durable, reusable, and/or non-toxic.
 - Ensuring high indoor air quality by avoiding products that release toxic vapors into the atmosphere and can cause health problems and environmental damage, such as

certain paints, plastics, plywood, and particleboard. It is preferable to use low VOC (volatile organic compounds) and formaldehyde-free materials.

5.2 Meet LEED certification for major new building projects.

The U.S. Green Building Council runs a green building certification program – LEED (Leadership in Energy & Environmental Design) – that recognizes best-in-class building strategies and practices. To receive LEED certification, building projects satisfy prerequisites and earn points to achieve different levels of certification. Prerequisites and credits differ for each rating system, and applicants choose the best fit for their project.

5.3 Ensure that renewable energy and other environmental building features are compatible with historic and scenic resources.

- On Historic Buildings and in Historic Areas, install solar panels on secondary sides rather than facing the street.
- Large ground-based arrays of solar panels should be located and designed to minimize their visual impact and to ensure that those projects that do not have a significant impact on the public or abutters.



Solar panels at Cronigs Healthy Additions integrate into the building design.

6. IMPACTS ON ABUTTERS AND THE PUBLIC

Many broad impacts – such as light, noise, and chemical use – emanate from the presence of human habitation in a community. These impacts don't respect property lines and are becoming increasingly problematic as we concentrate development. Impacts can be on immediate abutters or on a larger neighborhood. People living close together are particularly affected by stray lighting, noisy activities and equipment, and the impacts of construction. This includes commercial and industrial facilities located in or near residential areas. The operation of a home business in a quiet residential area can also raise concerns.

Lighting: Poorly designed outdoor lighting shines on abutting properties, causes glare that can be a safety hazard for drivers and interfere with navigation in Island harbors, and creates a sky glow that can block out the view of stars. The fact that the Vineyard is surrounded by miles of unlit ocean means that by controlling lighting on-Island, we can be especially successful in reestablishing a dark sky over the Island. Key is using dark sky compliant lighting.

Noise: Noise can be generated from a variety of sources, places of assembly such as bars and churches, amplification, and ventilation and other equipment. Even a relatively low level of noise can be a considerable annoyance, especially if it occurs at night or if it goes on for a long period of time. Even daytime noise can be problematic, especially on Martha's Vineyard where it affects not only the year-round population but also the huge number of summer residents and visitors who come here to get away from it all, seeking peace and quiet, and spending a lot of their time relaxing outdoors. State law limits the increase in noise levels from a project to 10 decibels, though even this may be too high in some situations.

Construction: In addition to the impacts resulting from the ongoing presence of a building, the construction process can generate a whole range of temporary negative impacts including traffic congestion, reduced access to properties, logistical issues related to the trucking in of materials, noise, dust, vibrations, soil erosion, and sedimentation in water bodies. These impacts can be especially disruptive on Martha's Vineyard since the Island is generally a quiet, rural refuge from the bustle of the city. The impacts can be exacerbated if they go on for extended periods of time. Special situations can make construction impacts worse, such as in very close proximity to other buildings in town, or on a single-lane dead-end private road shared with neighbors.



Dark Sky practices preserve the possibility of seeing the Milky Way.

Goal

Minimize the negative environmental impacts of building and human habitation.

Policies

6.1 Use dark-sky compliant lighting.

- Use only Dark-Sky-compliant exterior lighting, which is fully shielded to shine only down and be glare free. The lighting levels should drop at the property lines so there is little or no spillage onto the public way or abutting properties.
- Use the minimal appropriate lighting levels and ensure that exterior lights are only on when needed.
- For commercial, industrial, and institutional buildings, ensure that exterior lights are turned off when the building is not open, with security lighting on motion-detectors that turn them on temporarily only when there are people present.

6.2 Minimize the impact of noise, especially on abutters.

- For potentially noisy activities, such as event venues, sporting and recreational facilities, meeting rooms, churches, daycares, restaurants, bars, and operations with exterior commercial activities (e.g. construction, landscaping), especially when located close to residential areas, use techniques such as the following.
 - Vestibules,
 - Wall construction to limit the increase in sound level at the property line, such as with a Sound Class Rating of 40, or even 60 in some cases.
 - Windows and doors with high Sound Class Ratings accompanied by a commitment to keep doors and windows closed during potentially noisy activities, such as when amplification is in use.
 - HVAC components mounted on the exterior of the building to have a maximum dB(A) rating of 60 (equivalent to ordinary conversation) and be directed away from abutters, possibly using a housing to provide further noise attenuation. This is especially important when there is nearby housing or lodging.
 - No amplified sound outdoors.
 - Time of day restrictions.
- For places of assembly and other projects likely to generate noise, especially in close proximity to housing or lodging, the Commission may require more restrictive limits, ongoing testing, and/or a report from a professional acoustical engineer. The strictness of the measures should be increased as the distance to abutters decreases.

6.3 Minimize the negative impacts of construction.

- Identify the potential construction impacts and outline measures to eliminate, limit, or mitigate these impacts, such as by:
 - Limiting hours of construction to avoid summer, weekends, early morning, and/or late evening,
 - Providing security fencing around the construction site,
 - Temporarily protecting vegetation,

- Implementing measures to manage dust and contain sediment runoff,
 - Ensuring safe and discreet storage of equipment and materials,
 - Managing hazardous materials, and
 - Managing traffic and parking.
- To minimize the impact of a building construction process of potentially problematic projects on abutters and the public, the Commission might require that the applicant submit and follow a Construction Management Report that outlines how impacts would be minimized.



7. ARCHEOLOGY

Native settlement on Martha's Vineyard goes back about 12,500 years and the remains of Wampanoag occupation of the land lie beneath our feet in many parts of the Island. It is important that these archeological artifacts, as well as others from early European settlement, be preserved.

Inventories: Archeological surveys were carried out in 1999 to 2002 for all Island towns except Tisbury. The results are not generally available because of concerns about pillaging of important sites, but an applicant can find out whether their property has been identified as having archeological significance by consulting MVC staff or the Massachusetts Historical Commission (MHC). The MHC has an *Inventory of the Historic and Archaeological Assets of the Commonwealth*, a much larger database of sites, structures, buildings, districts, and other properties that have been identified in the Commonwealth and brought to the attention of the MHC. It includes the properties listed in the State Register as well as thousands of others that may or may not be eligible for listing in the National Register.



State Review of Archeology: The Commonwealth of Massachusetts has regulations dealing with archeology. A state archeologist permit is required for investigations. Any new construction projects or renovations to existing buildings that require funding, licenses, or permits from any state or federal governmental agencies must be reviewed by the MHC for impacts to historic and archaeological properties. State law protects new discoveries of human remains.

MVC Review of Archeology: In making determinations about archeology, the MVC will normally consider the comments of the MHC and the Tribal Historic Preservation Officer of The Wampanoag Tribe of Gay Head (Aquinnah) (WTGHA), and such local and state agencies as it deems necessary for guidance.

Goal

Identify and evaluate archeological resources, and adopt feasible alternatives to avoid, minimize, or mitigate any adverse effects to the resources.

Policies

7.1 Identify and evaluate archeological resources

- If, based on the town archeological inventories or other relevant information, the MVC determines that there are likely to be archaeological resources that could be affected by a proposed development project, the MVC will normally require that the applicant have

these resources identified and evaluated by an independent expert approved by the MVC. This applies to:

- projects that propose disturbance to the surface or subsurface of the ground, and which may otherwise destroy or disturb historic and archaeological resources, including construction, demolition, excavation, grading, septic system and other subsurface utilities installation, road construction, percolation or other soil testing, well drilling, vegetation clearing that involves pulling stumps and roots, etc.
- properties or areas identified in previous archeological surveys, or those that MVC determines are likely to contain such resources.

The identification and evaluation process, outlined in section 7, involves a measured approach, starting with an initial evaluation and, if that confirms the presence or likelihood of archeological resources, proceeding with a more in-depth analysis.

7.2 If, based on the archeological evaluation or other relevant information, the MVC determines that there are or are likely to be significant archeological resources, the applicant shall have a qualified archeologist develop and implement a plan and protocol to locate, identify evaluate, avoid, and protect the areas. If the areas cannot be feasibly avoided, then the applicant shall have the qualified archaeologist develop a plan and protocol to mitigate adverse effects to archaeological resources.

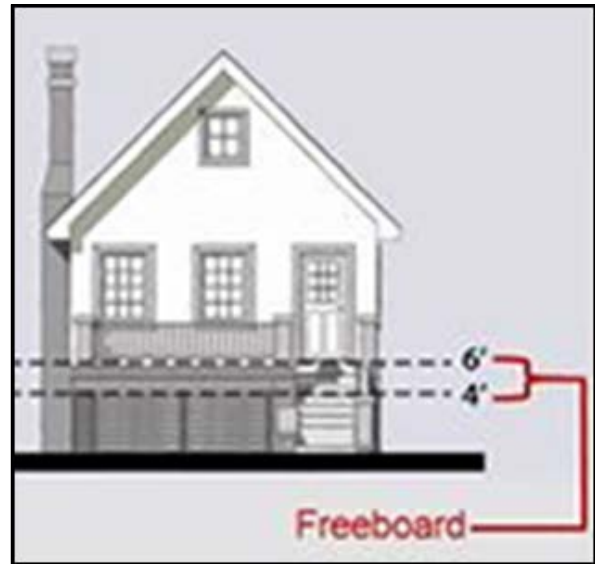
- Avoid archeological resources altogether by relocating the construction, if possible.
- Alternatively, use techniques that limit the impacts, such as building on piles to minimize excavation, and/or having the excavation supervised by a professional archeologist, with a protocol to briefly suspend the excavations to allow the archeologist to remove the resources.
- Consider donating Preservation Restrictions approved by the MHC to preserve significant archeological sites in perpetuity. Donation of an approved Preservation Restriction can provide favorable tax benefits to the property owner.

Note that if human remains are discovered during construction, state law requires that any excavation and building immediately stop, the bones not be touched or disturbed, and the state or local police and the regional medical examiner be notified about the discovery and location.

8. BUILDING RESILIENCE

Buildings on Martha's Vineyard are susceptible to a range of natural hazards including flooding, storms, and wildfire. Many of these hazards will be exacerbated in the future because of sea-level rise and other impacts of climate change.

The risk for a given building depends on its exposure to various hazards. It also depends on the category of its occupation: a warehouse or commercial structure presents a low hazard to human life in the event of failure, housing presents a moderate hazard, schools and places of assembly present a greater hazard, and essential and emergency facilities such as a hospital present the greatest hazard.



Flooding: The risk of flooding applies to low-lying coastal areas. A number of maps indicate what properties are likely to be affected by flooding.

- **FIRM Maps:** FEMA produces Flood Insurance Rate Maps that show the areas subject to flooding by a storm or flood event that has a one percent chance of being equaled or exceeded in any given year. They show V-zones and A-zones, i.e. areas with and without velocity, and identify a Base Flood Elevation (BFE).
- **SLOSH Maps:** The National Weather Service produces SLOSH maps (Sea, Lake, and Overland Surges from Hurricanes) to estimate storm surge heights resulting from various categories of historical, hypothetical, or predicted hurricanes.

However, both these maps are based on historical data, and do not reflect the increased risk resulting from anticipated sea-level rise and the projected increased frequency and severity of storms due to climate change. Therefore, especially for higher-risk occupancies, buildings should be located and designed in anticipation of projected future flooding risks.

Storm Damage: Because of the Vineyard's exposed location, buildings here are especially barraged by wind and rain during nor'easters and hurricanes. Building codes have been modified in recent years to respond to these increased hazards but again, we can anticipate that the risk will increase during the lifespan of the building due to climate change.

Wildfire: Buildings located within heavily wooded areas, or downwind from them, face an increased threat from wildfire. Buildings with the highest risk of burning are those situated adjacent to woodlands and buildings that are situated fewer than fifteen feet apart and buildings constructed in wood, as is the case for most Vineyard buildings.

Goal

Locate and design buildings to minimize and mitigate risks from natural hazards while respecting the other design guidelines in this policy.

Policies

8.1 Locate and design buildings to minimize risk from flooding.

- Identify what the flood risk is for the location. This should not only be based on the current FEMA and SLOSH maps but also the best available modeling of projected sea-level rise.
- Identify what the hazard category is based on the occupancy.
- Establish the Base Flood Elevation (BFE) for the property, or the Design Flood Elevation (DFE), if set by the town, which must be higher than the BFE
- If possible, locate the building on the property where it is above the BFE (or DFE), and the risk is reduced or eliminated.
- Use “wet floodproofing” where buildings are designed to allow floodwaters to enter and leave the structure without the use of any mechanical equipment. There should be no interior below-grade (on all sides) spaces and the bottoms of the beams of the lowest occupiable floor should be elevated above the BFE. A wet-floodproofed building allows for the equalization of hydrostatic forces on both sides of the wall during a flood event with openings at the ground floor that allow water to flow in and out at an appropriate rate.
- In some cases, it might be acceptable to retrofit existing non-residential buildings using “dry floodproofing” to make the structure watertight up to at least the level of the BFE. Since dry floodproofing can present safety hazards during a flood event by blocking egress, it is not allowed in entirely residential buildings.
- Locate all utilities above the BFE. Use flood-damage-resistant materials below the BFE.
- Meeting applicable regulations to reduce the impacts from flooding might require a new building to be designed, or an existing building to be elevated, in a way that results in an awkward relation to the ground and a visually problematic design. In these cases, the visual impact should be reduced as much as possible. If it is only required to raise a building by a few feet, this can generally be done with relatively little impact on the surroundings, especially if it is set back from the street, by articulating the lowest level with projections and recesses, by enclosing open areas under buildings with vertical boards with spacing, latticework, breakaway vents, or other techniques that visually screen but allows the water to flow through, and by screening with landscaping. Raising buildings along shopping streets and



other pedestrian-oriented streets where there is little or no setback can be problematic in terms of incorporating exterior stairs and ramps, and of maintaining visual transparency into ground-floor uses; it might be possible to have a door and windows at sidewalk level, and use a few internal stairs to get up to the ground level.

8.2 Design buildings to minimize potential damage from storms.

- Design the structure to withstand the expected lateral and uplift forces and to maintain the integrity of the building envelope so it is protected from precipitation, especially wind-driven rain.

8.3 Incorporate wildfire-resistant features in new construction and retrofits, especially for high-risk occupancies and high-risk locations.

- Select a location with multiple ways to enter and exit the property and building.
- For high-risk occupancies and high-risk locations, avoid flammable roofing materials such as wood shingles (unless fire-retardant) that can easily catch fire from wind-blown sparks and consider using fire-resistant siding materials.
- Cover exterior furnace and stove vents with fine, noncombustible screening.
- Consider limiting the size and number of windows that face large areas of vegetation, and using tempered or multilayered glass.
- Create "defensible space" by removing dry grass, brush, trees, and dead leaves within the immediate surroundings (about thirty feet) of the building. Plant native, fire-resistive vegetation whenever possible.

For high-risk occupancies in high-risk locations, the Commission may require that a professional Risk Assessment and Hazard Mitigation Plan be prepared.

9 USING THE POLICY IN A DRI APPLICATION

Basic Submission Requirements

The application should include sufficient information to enable the Commission to evaluate the building design in relation to its Context Area. This would include the following information.

- The location, proposed use and dimensions of new buildings or modified buildings,
- Floor plans, roof plan, and cross sections to scale, with the scale clearly indicated,
- Elevations and identification of proposed exterior materials,
- The location and design of other structures, such as retaining walls, fences, docks, outdoor storage tanks, air-conditioning units, and waste disposal units.
- Architectural perspectives showing the building in its context,
- An exterior lighting plan,
- For building renovations, drawings should show the existing and proposed situations
- For buildings in areas at risk of flooding, relevant maps showing risk (flood plain, SLOSH, etc.), clear indication of building elevations, and measures to reduce risk,
- Information about energy performance and other green building efforts.



Context Area

In order to allow the Commission to understand the relation of the proposal to its context, provide:

- A plan of the proposed building in context including its nearest abutters on all sides,
- If there are other buildings within 200' of the proposed building, a street elevation with the new building and the adjacent buildings, and
- If there are abutters in close proximity or special issues related to the topography or other features, a building and site cross-section including the critical contextual elements.

Historic Resources

Identify historically or archaeologically significant sites, buildings and/or features, including the following.

- Whether the property is within a designated historic district,
- Whether the property is identified in the Island Plan or otherwise by the MVC or a town as a Historic Area, a Traditional Neighborhood, or a Scenic Road.
- Whether there are structures listed on the National or State Register of Historic Places.
- Whether there are structures inventoried in the surveys prepared for the MVC and/or the Massachusetts Historical Commission.

- Whether the Massachusetts Historical Commission has made a finding that the structure is Eligible for Listing on the National Register of Historic Places, either as an individual structure and/or as part of a district.
- The age of construction of the original building and any additions.
- Whether a town or the MVC has found the building to be historically significant based on the criteria in section 2. Note that this may only happen as part of the review process.

Historic Structures Report: If a historical evaluation or historic structures survey is required by the MVC, it shall be conducted at the proponent's expense by a qualified professional approved by the Commission.

If a demolition request is based upon structural instability or deterioration, a technical report prepared by a registered architect or engineer may be required, detailing the nature and extent of the problems and a reasonably adequate estimate of the cost to correct them. This report can be prepared by a consultant selected by the Commission. Alternatively, if prepared by a consultant selected by the applicant, the Commission may hire its own structural engineer to evaluate the property and verify the content of the applicant's report, at the applicant's expense.

An application for permission to demolish an existing structure shall be accompanied by complete plans for the new development proposed on the site, a timetable and a budget for both the demolition and the reconstruction, and satisfactory evidence that adequate financing is available. The Commission may require the posting of a performance bond or the establishment of an escrow account to guarantee the completion of any such project.

Archeological Resources

Project Notification Form: If the MVC determines that there are, or are likely to be, archeological resources that may be affected by the project, the MVC may seek the input of the Mass Historical Commission (MHC) and the Wampanoag Tribe of Gay Head Aquinnah. This involves completing a Project Notification Form (PNF, 950 CMR 71, Appendix A, available at the MHC's website <http://www.sec.state.ma.us/mhc/mhcform/formidx.htm>), including a USGS locus map with the actual boundaries of the project clearly indicated, and scaled project plans showing existing and proposed conditions. Any information prepared regarding the locations of archaeological



resources shall be clearly marked "Confidential and Not a Public Record," and the archaeological locational information shall not be released to the public (pursuant to Mass. Gen. Laws chapter 9, sections 26A(1) & 27C) without the prior written approval of the State Archaeologist at the Massachusetts Historical Commission. The MVC will submit the PNF to the MHC who will make recommendations to the MVC within thirty days of receipt of submittals.

Archeological Survey: If an archaeological survey is required by the MVC, it shall be conducted at the proponent's expense by a qualified professional archaeologist who has been issued a field

investigation permit for the investigation by the State Archaeologist (pursuant to 950 CMR 70). The results of archaeological survey would then be submitted to the MHC and WTGHA for review and comment. The MHC will comment to the MVC regarding the investigation results, and may recommend:

- no further archaeological investigation
- additional information including the results of supplemental archaeological investigation to assist in evaluating and in demarcating the boundaries of resources, and/or
- a sufficient Archeological Plan and Protocol be developed by the qualified professional archaeologist to avoid, minimize or mitigate development/project adverse effects to the resources.

Archeological Plan and Protocol: If the MVC determines that an Archeological Plan and Protocol is required, it shall be prepared by the qualified archaeologist. The draft Archeological Plan and Protocol should be submitted to the MVC, MHC, and WTGHA, for comment, and a final Archeological Plan and Protocol prepared and the plan should be finalized addressing the comments. The MVC would then incorporate conditions to implement the Archeological Plan and Protocol within its DRI decision.

GLOSSARY

Base Flood Elevation (BFE): The flood level, including wave effects, that has a 1-percent chance of being equaled or exceeded in any given year (also known as the 100-year flood or base flood). Floods more severe and less frequent than the 1-percent flood can occur in any year.

Character-Defining Feature: An elements or trait that contributes to the special quality of a building or a site, without which the uniqueness is lost.

Context Area: The area around the subject property in which the buildings and properties share similar physical characteristics based on topography, street layout, history and age, building typology, building siting, and/or architectural style.

Contributing Buildings and Structures: Buildings, structures, public improvements or sites or objects adding to the Historic Significance of a site or district which by location, design, setting, materials, workmanship, feeling and association add to the site's or district's sense of time and place and historical development. While these buildings, structures, land improvements, sites or objects, by themselves may not meet the definition of "significant properties" on their own, they maintain their historical and/or architectural integrity and contribute to their site or district based upon their scale, design, use of materials, location, or age, and retain qualities or have the potential to make a positive and compatible contribution to the character and appearance of a defined area.

Design Flood Elevation: The greater of the BFE or a higher elevation required by the town.

Eligible for Listing on the National Register of Historic Places: Buildings or other structures that were found by the Massachusetts Historical Commission, or by a professional historic preservation consultant, to be eligible for listing on the National Register, either individually and/or as part of historic districts.

Historic Area: Areas identified in the Island Plan as having a high concentration of buildings, properties, or sites, over 100 years old, whether or not it has been officially designated as historic districts. Can also be used generically to include all historic locations including Scenic Roads.

Historic Building: A building with significance to the history, architecture, archeology, engineering, or culture of a community, state, or the nation. It may be officially designated. The term can also be used in a generic sense for buildings with historic significance without official designation.

Historic District: A group of buildings, properties, or sites that has been designated by one of several entities on different levels as historically or architecturally significant. This may be a Locally Designated Historic District, designated by the town according to MGL 40C Section C which gives regulatory authority to a historic district commission. It may also be a district listed in the National Register of Historic Places, the official list of the Nation's historic places worthy of preservation, compiled by the National Parks Service.

Historic Significance: The importance of a property to the history, architecture, archeology, engineering, or culture of a community, state, or the nation, achieved through: association with events, activities, or patterns; association with important persons; distinctive physical characteristics of design, construction, or form; and/or potential to yield important information.

National Register of Historic Places: The official list maintained and revised by the Secretary of the Interior of properties (buildings, structures, sites, districts, and objects) that are significant in American history, architecture, archeology, engineering, and/or culture. The Massachusetts Historical Commission or the MVC (based on professional advice) may make a determination of eligibility for listing on the National Register.

Preservation Restriction: A voluntary legal agreement to provide a high level of long term protection to significant historic properties or archeological resources. In Massachusetts, these agreements must meet state statutory requirements, administered by the Massachusetts Historical Commission. The donor of the restriction can receive tax benefits.

Scenic Roads: The majority of Island's roads, which are significant for a combination of historic, natural, and visual reasons including the buildings, stone walls, and other man-made features. The Scenic Roads and their Roadside Viewsheds were identified in the Island Plan, and may be updated by the Commission in the future.

Stabilization: The act or process of applying measures designed to re-establish a weather-resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining its essential form and Character-Defining Features.

Traditional Neighborhood: Areas identified in the Island Plan as having a high concentration of buildings, properties, or sites, built before the end of World War II.

Viewshed: The geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees).



MARTHA'S VINEYARD COMMISSION

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