

# THE MARTHA'S VINEYARD COMMISSION

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## Land Use Planning Committee Summary of July 10, 2000 Meeting Olde Stone Building

Members present: Christina Brown, Marcia Cini, Megan Ottens Sargent, Richard Toole  
Staff present: David Wessling,

Others present: George Brush, Angela Gompert, Doug Hoehn, Steven Hoss

Meeting opened at 5:37 P.M. by Christina Brown

### SAV Warehouse (DRI #515)

Ms. Brown greeted Mr. Hoss, the Applicant, and outlined the purposes and procedures of the LUPC. She invited Mr. Hoss to summarize his proposal and asked Mr. Wessling to describe the elements of the site plan.

Mr. Hoss stated that the proposal will be the fourth storage building at the Business Park to be built and operated by his company. He mentioned that he had discussed the project with Edgartown's Fire and Police Chiefs as well as with the Business Park Manager. He also stated that he is seeking FAA approval with respect to exterior lighting.

Ms. Brown and Mr. Toole discussed wastewater treatment, roads and access, the development's history, location of utilities, building size and materials and the parking layout. Ms. Brown and Mr. Toole encouraged Mr. Hoss to shingle the front of the building.

Mr. Hoss also explained the proposed uses of the structure and its tenants - Pepsi Cola and Vineyard Decorators. Both tenants will vacate other storage buildings owned by the Applicant. In turn, the vacated space has been leased to new tenants.

As to landscaping, Mr. Hoss, referring to the site plan, noted that the front of the property will be "dressed up" in order to present a "more formal" appearance. A 5' wide buffer will adjoin the site's perimeter. He also promised to submit an "environmental study" as to existing vegetation. Ms. Brown and Mr. Toole emphasized the importance of native/indigenous vegetation.

In reply to Ms. Brown's question about exterior lighting, Mr. Hoss stated that such lighting will be activated by motion sensors.

Lastly, Ms. Brown asked Mr. Hoss about his affordable housing contribution. He said that his offer is to contribute \$3,780 based on the Commission's policy in effect at the time of the application's filing. Ms. Brown then discussed the Commission's new affordable housing policy and urged Mr. Hoss to consider a more "creative" contribution.

Note: Ms. Cini and Ms. Sargent were not present.

#### **Martha's Vineyard Regional Transit Authority (DRI #524)**

After Ms. Brown's introduction, Ms. Gompert presented the proposal. Referencing site, drainage and landscaping plans, she described the Transit Authority's fleet expansion program and the need to consolidate its administrative office and maintenance/operations facilities.

She described the proposed building's size and functions, access and parking, fueling station and landscaping. The building will contain a mezzanine level for offices and storage. (Ms. Sargent arrived.)

Ms. Gompert explained the need for an extensive paved surface. She said that the paved area will facilitate driver training and testing. Also, the testing area may be shared with the Registry of Motor Vehicles. As to the amount of parking, Ms. Gompert said that the project will not function as an intermodal terminal. Parking spaces are for the Transit Authority's vehicles and for employees.

In reply to questions from Ms. Sargent and Ms. Brown, Ms Gompert explained the reasons for the location of the fueling areas and the underground storage tanks. Her comments led to a discussion of alternative fuels (i.e., propane).

Ms. Brown asked Ms. Gompert if she had discussed the project with the Edgartown Fire and Police Chiefs. She said that she had.

Ms. Brown then asked Ms. Gompert to review the drainage and landscaping proposals. Ms. Gompert remarks included a discussion of oil-water separation.

Other topics of concern dealt with water recycling, current and future workforce, fleet size, exterior lighting, and traffic flow within the site.

At the conclusion of the meeting, the Applicant's sought LUPC's guidance as to the affordable housing contribution. Mr. Toole suggested that Ms. Gompert should consult with the Staff. Ms. Brown asked Ms. Cini if "governmental organizations are exempt from the Commission's affordable housing policy?". Ms. Cini said that the intention of the policy is not to exclude municipal projects. Ms. Cini likened the affordable housing policy to an "impact fee". The Members advised Ms. Gompert to develop a "creative" affordable housing contribution.

Mr. Toole asked Ms. Gompert about the project's cost. She said that the estimated cost is approximately \$3.5 million but the project's budget is \$2.5 million. She explained the project's funding sources to the Members as the session ended.

### Moore Subdivision (DRI #503)

Doug Hoehn, representing the Applicant, reviewed the correspondence that the Commission received after the close of the public hearing.

Ms. Sargent immediately questioned the relevance of the site's archaeological significance vis-a-vis the subdivision of land. Ms. Brown and Ms. Sargent then discussed the Commission's role in preserving archeological significant sites. Ms. Sargent was most concerned about the lack of details in the letter from the Wampanoag Tribe. Ms. Brown read the letter into the record.

Ms Sargent was unconvinced about the importance of the site and disputed the opinion of the Deputy Tribal Preservation Officer. She asked for precise information from the Massachusetts Historical Commission.

Ms. Sargent added that the cost of an intensive archaeological survey would be an unnecessary and expensive burden on the property owner. She related her experiences in Aquinnah. Again, she spoke about the high cost of archaeological surveys and the low probability of finding significant artifacts.

Afterwards, the Members discussed an appropriate recommendation. Although a definitive recommendation did not emerge, the Members agreed that the Applicant should be required to have a consulting archaeologist conduct a preliminary archaeological assessment of the building envelopes prior to construction activities should be provided.

Next, the Members discussed the letters from the West Tisbury Conservation Commission and the Natural Heritage Program. Mr. Hoehn described them as "clarification letters".

Ms. Sargent asked questions about viewshed protection. Mr. Hoehn explained the extent of the buffer area and underlined the "thickly wooded" vegetation cover. He also showed a map indicating the building envelopes. Ms. Brown suggested that a color-coded vegetation/constraints map.

Ms. Brown and Ms. Sargent then discussed the features of the proposed dwellings with Mr. Hoehn. Mr. Hoehn assented to Ms. Brown's suggestion that the Conservation Commission's concerns (as expressed in its letter) be incorporated into the MVC decision.

Ms. Sargent asked Mr. Hoehn about the density of the area. After receiving a description of the land, Ms. Sargent concluded that the site "is not pristine".

Before closing, Ms. Brown and Ms. Sargent agreed that another condition of the

project's approval should be: At the time of and prior to constructing a dwelling, the Applicant shall be required to have a consulting ecologist conduct an environmental assessment of the building envelopes. This recommendation is intended to respond to the concerns expressed by the Natural Heritage Program. Also, Ms. Brown and Ms. Sargent recommended that lawns shall not exceed 2,000 sq.ft.

At the end of the meeting, Mr. Hoehn requested a 4 week extension in order for the Commission to complete its decision making. Ms. Brown and Ms. Sargent accepted the Applicant's request. (Thus, the Commission's deadline is August 24, 2000.)

### **Black Dog Railroad Car (DRI #522)**

Mr. Hoehn, representing the Black Dog, began by summarizing the two-fold referral:

1. To establish the railroad car as a vacant accessory structure; and
2. To allow the Black Dog to seek approval from the Tisbury Zoning Board of Appeal for the railroad car as an "outdoor display".

Ms. Sargent asked Mr. Hoehn to clarify the railroad car's use as a extension of the Black Dog restaurant. Mr. Hoehn and Ms. Brown outlined the history of the venture for Ms. Sargent.

Mr. Hoehn then described the rearrangement of the Black Dog's parking layout. A revised layout is necessary because of railroad car occupies several parking spaces. Addressing a "parking lot" plan, Mr. Hoehn showed 48 on-site parking spaces, the number agreed upon by the Tisbury Planning Board and the Tisbury Building and Zoning Officer. Ms. Sargent also asked questions about the flow of traffic in the parking/loading area as did Ms. Brown.

Mr. Toole questioned the adequacy of the access for emergency vehicles. Mr. Hoehn responded by saying that the plan is under review by Tisbury's Police and Fire Chiefs.

Mr. Hoehn, referencing the site plan, discussed the landscaped areas and adjacent sidewalks. He said that a more detailed landscaping plan will be presented at the next LUPC meeting.

Ms. Sargent and Ms. Brown returned to the discussion of internal flow of traffic. Their comments led to a description of the Black Dog's long-term plans.

Mr. Brush, an attorney representing the Applicant assured Mr. Toole that the Black Dog has "secured" the railroad car and that caution signs have been placed on the car to prevent trespassing. Ms. Cini suggested cordoning the car.

In response to questions from the Members, Mr. Brush gave a further explanation of the project's history and the project's prospects. His remarks gave Ms. Sargent an opportunity to speculate on the traffic generating capacity of the railroad car. Other Members offered opinions as to the level of traffic on State Road.

Mr. Hoehn offered to meet with the Commission's Staff as to traffic and parking matters.

Ms. Brown reminded Mr. Hoehn and Mr. Brush of the comprehensive nature of the project. However, Mr. Hoehn demurred. His concern was with the "outdoor display" rather than the relationship between the railroad car and other nearby Black Dog properties. Mr. Hoehn pledged to study the matter at a later time.

Ms. Brown sticking to the regional issue theme, inquired about compliance with the Commission's revised affordable housing policy. The matter was unresolved.

In summary, Ms Brown noted that Mr. Hoehn will continue working with the Staff and that a landscaping plan will be presented at a future LUPC meeting. A tentative meeting was scheduled for July 31<sup>st</sup>.

Meeting adjourned at 7:21 P.M.

Summary prepared by David Wessling