

THE MARTHA'S VINEYARD COMMISSION

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Minutes of the Meeting of April 29, 2004

Held in the Stone Building,

33 New York Avenue, Oak Bluffs, MA

IN ATTENDANCE

Commissioners: James Athearn (Elected - Edgartown), John Best (Elected - Tisbury), Christina Brown (Elected – Edgartown), Linda DeWitt (Appointed - Edgartown), Jane A. Greene (Appointed - Chilmark), Katherine Newman (Appointed - Aquinnah), Megan Ottens-Sargent (Elected - Aquinnah), Doug Sederholm (Elected - Chilmark), Paul Strauss (County Comm. Rep.), Richard Toole (Elected – Oak Bluffs), Andrew Woodruff (Elected – West Tisbury)

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Analyst)

1. ONE ELEVEN REALTY TRUST, 111-117 NEW YORK AVENUE – CONTINUED PUBLIC HEARING

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff

For the applicant: Jack Robinson, Claudette Robinson, James Weisman, and Darran Reubens

Christina Brown explained that the Robinsons had presented a new expanded plan to the LUPC meeting the previous Monday, April 26th. Because the plan expands the total square footage of the building, Commission counsel has advised that the Commission should not consider this plan unless it is re-advertised and presented at a new public hearing so that the public has an opportunity to comment on it.

Jack Robinson explained that responding to the affordable housing goals of the Martha's Vineyard Commission led them to expand the building.

Christina Brown clarified that the Applicant had two choices:

- Have the Commission complete its review of the original proposal;

- Withdraw the original application without prejudice and make a new application for the new proposal. In this case, no new application needs to be filed and no new application fee is required, other than paying for the cost for advertising. One benefit of withdrawing the current proposal and starting afresh is that all Commissioners would again become eligible to review the proposal, even if they had missed meetings on the original proposal. .

Mr. Robinson indicated that he chose the second option, namely to withdraw the current application and make a new application based on the new plan.

Christina Brown closed the public hearing and asked that Mr. Robinson continue to work with staff and present his new plan at a new public hearing.

2. ULF EDGARTOWN LLC D/B/A COLONIAL INN: DRI 15M-3 – CONCURRENCE REVIEW/ MODIFICATION VOTE

Commissioners present: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff

For the applicant: Brian Stein, architect; Russ Urban, owner

Christina Brown explained that the owners of The Colonial Inn are proposing a small change and an addition less than 2,000 square feet. Because this is a modification of a previous DRI, the proposal must come before the Commission.

Russ Urban explained the proposal.

- The Colonial Inn currently has 43 rooms.
- In response to a questionnaire indicating that guests would like an increased number of larger rooms for longer stays, the inn is proposing to convert the 'porch wing' of 15 units to 6 suites: 3 one bedroom and 3 two bedroom.
- No change will be made to the shell of the building, except to square off the footprint to add an elevator and to enclose the stairwell/fire escape. The proposal is ADA compliant.
- It decreases 15 rooms to 6 rooms and lowers the occupancy from 30 to 18.
- The hotel will provide van service to and from the ferry and airport.
- The Planning Board of Appeals referred the project to the Commission.

Doug Sederholm said it looked like the footprint would be 338 square feet for a total of 1100 square feet over the three floors.

Linda DeWitt asked when the project would start. **Russ Urban** said it would start in November and last about five months. The project is in the historic district. The Historic District Commission will have to approve the project after Commission review.

The staff reported that the project would need a permit from the Zoning Board of Appeals and the Historic District Commission.

Christina Brown said the LUPC voted unanimously to recommend that this modification is minor and doesn't require a public hearing and it recommended that the modifications be approved.

Jane Greene moved and it was duly seconded that the modification to ULF Edgartown LLC d/b/a/ Colonial Inn: DRI 15M-3 is not substantial and does not require a public hearing. She further moved that the modification to the previous DRI be approved.

- **Megan Ottens-Sargent** stated that she felt that the proposal was a very positive one. It responds to guests' requests for longer stays; it is ADA compliant; it decreases the number of occupants; and it encourages less traffic by offering transportation.

A roll call vote was taken. In favor: J. Athearn, J. Best, C. Brown, L. DeWitt, J. Greene, M. Ottens-Sargent, D. Sederholm, L. Sibley, P. Strauss, R. Toole, A. Woodruff. Opposed: None. Abstentions: None. The motion carried.

3. MINUTES

Jane Greene moved and it was duly seconded to accept the minutes of March 25th with the following corrections.

- page 5, line 35 should read, "Land Bank would like to swap land it has under agreement";
- page 7, line 10 should read, "although they are not interested".

A voice vote was taken. In favor: 10. Opposed: 0. Abstentions: 1. The minutes were adopted.

Jane Greene moved and it was duly seconded to accept the minutes of March 18th with the following corrections:

- page 9, line 15: should read:

"**John Best** asked that the **Robinsons** clarify what kind of food service is and will be provided. The **Robinson's** responded that they serve a continental breakfast. **Paul Strauss** said that a brochure he saw showed some of the rooms with kitchenettes; **Jack Robinson** said none of the new rooms would have kitchenettes. **John Best** remembered that at the last application there were extensive cooking facilities in the building, including a sophisticated chicken fryer. Are those facilities still in place and will they be used? **Mr. Robinson** explained that they have a pressure cooker that does not use flame. **Mr. and Mrs. Robinson** testified that they do not cook there, they don't have any flames, and the only food they serve is continental breakfast."

John Best moved and it was duly seconded to amend the minutes after a review of the tape to include the Robinsons' statement about cooking for guests.

A voice vote was taken. In favor: 10. Opposed: 0. Abstentions: 1. The minutes were adopted.

Bill Veno explained a series of corrections to the minutes on the Coleman Subdivision – Discussion and Re-vote, pages 12 -13.

A voice vote was taken on the motion to accept the minutes of March 18th with corrections. In favor: 8 Opposed: None. Abstentions: 4

4. LUPC MEETING

Monday, April 2 at 5:30 p.m. – LUPC meeting to review the application of Evelyn Way Realty Trust

Christina Brown gave a report on the application of Pacific Cotton. The plan is to tear the existing building down and rebuild, doubling the square footage. The proposal will maintain retail space on the first floor and increase living space from 1 three-bedroom apartment to 2 one-bedroom and 1 two-bedroom apartments.

5. OTHER

5.1 Steamship Authority: Oak Bluffs Staging Area

Mark London reviewed the plan for reconstruction of the Oak Bluffs Steamship Building. The plan proposes for the staging area to be where the bathrooms are. The plan is not subject to Commission review but will go before the Oak Bluffs Conservation Commission. Jo-Ann Taylor will prepare draft comments. The Oak Bluffs Selectmen will be working with the Steamship Authority. **Christina Brown** said that although the plan does not require an MVC public hearing, in the past the Authority has used the Commission to offer a public forum. They could do that again.

- **Doug Sederholm** asked whether Oak Bluffs citizens had had any opportunity to review and comment on the plan for the parking area.
- **Paul Strauss** explained that the Oak Bluffs citizens haven't seen the plan and only the Oak Bluffs Conservation Commission had received a copy.
- **Mark London** commented that something of this scale should be reviewed. Roger Wey is the new Oak Bluffs Chair. **John Best** will call Cassie Roessel to open communication.
- **Megan Ottens-Sargent** said that the traffic changes alone would warrant public review.

5.2 Draft DRI Guidelines

Mark London passed out draft DRI Guidance documents. He requested that Commissioners have their comments to him next week.

5.3 Forums

Mark London asked Commissioners to put up posters advertising the forums. Postcards listing the forums will later be mailed out and Commissioners will be asked to distribute them to libraries and town halls.

The first forum is May 19th at the Mansion House: *Smart Growth: Where Should We Put Coming Development?* There will be a panel made up of John Abrams, Tom Chase, Michael Dutton and Matt Kiefer.

5.4 Correspondence

James Athearn discussed a letter drawn up by staff regarding the Coleman Subdivision and the siting of the house on the ridge. The letter explains the Commission's recommendation, not a formal condition, that the Coleman's or a future buyer work with the Chilmark Planning Board on the siting of the house on the ridge and landscaping to mitigate the visual impact of the house. **Jane Greene** expressed concern that letter doesn't make a strong enough statement. **James Athearn** said that the statement can only be a recommendation.

5.5 Personnel Committee

Jane Greene reported that the committee is in the process of structuring **Mark London's** review. They are developing an evaluation form. It will probably be called an Employee Performance Evaluation.

Jeff Wooden has prepared a draft personnel policy. The evaluation will go out to commissioners after the chairman's review.

5.6 Transportation Planner

Srinivas Sattoor, the new transportation planner, was introduced again to the Commissioners. He has been working on the computerized travel demand model. He has been attending meetings with applicants.

5.7 Governor's Appointee

Megan Ottens-Sargent asked whether the Commission had heard from the Governor about an appointee. **Mark London** said he is reactivating the issue. **John Best** said that in the past the Governor has, except for the last appointment, deferred to Secretary of Environmental Affairs who always deferred to Secretary of Coastal Zone Management, who typically made the appointment. Maybe pressure should be put on Secretary of Environmental Affairs. **John Best** said that the Coastal Zone Management appointees

have been excellent and are often very helpful on issues that come before the Commission.

5.8 Polly Hill

Christina Brown reported that, for the first time, Polly Hill would not be spending summer on the Island.

The meeting adjourned at 9:07 p.m.

Chairman

Date

Clerk-Treasurer

Date