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## **Minutes of the Commission Meeting Held on June 2, 2005 In the Olde Stone Building 33 New York Avenue, Oak Bluffs, MA**

### **IN ATTENDANCE**

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**Commissioners:** (P = Present; A = Appointed; E = Elected)

P James Athearn (E – Edgartown)	P Ned Orleans (A – Tisbury)
P John Best (E – Tisbury)	P Megan Ottens-Sargent (E – Aquinnah)
- John Breckenridge (A – Oak Bluffs)	P Deborah Pigeon (E – Oak Bluffs)
P Christina Brown (A – Edgartown)	P Jim Powell (A – West Tisbury)
P Carlene Condon (A – Edgartown)	P Doug Sederholm (E – Chilmark)
P Mimi Davisson (E – Oak Bluffs)	P Linda Sibley (E – West Tisbury)
P Chris Murphy (A – Chilmark)	P Paul Strauss (County Comm. Rep.)
P Katherine Newman (A – Aquinnah)	P Andrew Woodruff (E – West Tisbury)

**Staff:** Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Coordinator), Christine Flynn (Affordable Housing and Economic Planner)

### **1. MARTHA'S VINEYARD HOTEL & RACQUET CLUB: DRI NO. 586 – PUBLIC HEARING**

*For the Applicant: Jack and Claudette Robinson*

**Christina Brown** opened the public hearing and read the hearing notice. The proposal is to expand the existing 5-room Tennis Club and B&B by adding 8 additional guest rooms and 2 employee rooms.

#### **1.1 Applicants' Presentation**

**Jack Robinson** explained some aspects of the plan:

- An engineer has designed a new septic system.
- The landscaping and lawns will remain the same.
- The parking will be as outlined on the plan.
- Continental breakfast will be served in the morning; no other meals will be served.

#### **1.2 Staff Report**

**Paul Foley** outlined the staff report:

- Mr. Robinson has signed off on a revised set of offers for this project.
- The addition has a 2,000 square foot footprint, approximately 24 feet by 88 feet.
- Staff developed a map of B&Bs that shows that many are in residential areas; a pictometry image and street elevation were also shown.

- The existing septic will be filled in; a new leach field will be installed in the grass area with a reserve tank.
- The site is made up of 3 different lots, totaling 1.13 acres.
- The proposal is to add 8 additional guestrooms and 2 employee rooms.
- The zoning is R-2. The proposed use is allowed with a special permit. The plan would have to go through a Site Plan Review process and get a Special Permit.
- The Martha's Vineyard Hotel and Racquet Club was originally approved in 1991 with conditions. Last year, a larger proposal was denied; the current proposal is a scaled back version.
- The applicant proposed a parking plan for on-site parking. Paul Foley commented that he felt the existing parking on Chickawaukee works well.
- The traffic planner's brief report on the plan shows the proposal would generate 75 additional weekday trips. The total traffic increase on New York Avenue is projected to be insignificant. Most guests use public transportation, bike or walk.
- The economic impact of the proposal is that guests could be expected to spend money on the Vineyard.
- The affordable housing component is the two employees rooms.
- The property is well maintained. The addition wouldn't have a big impact on streetscape.
- The Applicant doesn't have architectural plans because he doesn't want to spend more money on an architect until the basic concept is approved.
- The application includes three letters in support of the project.
- Water is supplied by town. The new septic is designed for existing and additional bedrooms, 1760 gallon flow per day with a 3500 gallon tank. The water planner doesn't see a problem with water use.

**Doug Sederholm** asked about the number of bedrooms. **Paul Foley** clarified that:

- The B&B currently has five bedrooms on the second floor of the existing building.
- The attached 'chicken coop' structure (formerly the pro shop) has bedrooms.
- There are also bedrooms in the main house, some of which are rented out.
- The addition is proposed to be two floors, but because of the considerable ceiling height of the ground floor of the existing building, the second floors of the two sections will be at two different levels.

**Megan Ottens-Sargent** asked whether it would be difficult to monitor the offer of two employee rooms. **Christina Brown** said that the Commission would probably try to develop more specific language for a final condition on affordable housing, as well as on the architectural plans.

There was a discussion about the status of the 'chicken coop'.

- **Jack Robinson** said:
  - It had been used as a pro shop but has now been renovated as living space. It is part of the residence and is not intended to be part of the hotel.
  - He rents it out apart from the B&B, or the family uses it.
  - It has one bedroom on the ground floor, and a loft that is a sleeping space for kids.
  - He does not intend to rent it as part of the hotel. He maintains that the building is a residence and he may rent out a room in a residence.

- **Paul Foley** will look into whether Mr. Robinson can rent the 'chicken coop' as part of the hotel.
- **Mark London** asked whether it has one bedroom or two bedrooms based on the Oak Bluffs building code.
- **Paul Strauss** said his understanding was that the 'chicken coop' had contained a bedroom and a pro shop. **Jack Robinson** said the pro shop equipment was moved to a closet in the basement of the main building.
- **John Best** suggested that the Commission look at the 1991 approval and whether the 'chicken coop' was part of the original approval. **Chris Murphy** said his understanding was that the original 1991 approval was for the Tennis Club only, and did not look at the B&B.

**Carlene Condon** asked about landscaping behind the addition. **Jack Robinson** said the tennis courts are professional size; they are clay and can be altered easily.

**Doug Sederholm** asked a number of questions about the addition. **Jack Robinson** clarified the following points:

- Most of the addition is not visible from New York Avenue.
- It will be shingled like the existing building.
- The addition roof will have a deck that will be about 24 by 80 feet. The deck will not be used for functions. Weddings are held in the lobby of the first floor and wedding guests will not have access to the deck. It's intended for B&B guests only.
- Access will be through a door on the second floor of the existing building, then down three or four steps.

**Mimi Davisson** asked for clarification about changes to the existing building. **Paul Foley** said that the existing building is not being changed at all.

### **1.3 Public Comment**

**Michelle Lazerow** lives in the neighborhood.

- There should be dedicated parking spaces on the property because of the hazards that can be created by people backing up in the right of way.
- The number of rooms should be clarified.
- The largest B&B in the neighborhood is the Admiral Benbow, which has 7 rooms. She is concerned with incremental growth in the residential area.
- The Commission should review the 1991 decision and compare what was approved and what actually happened.

### **1.4 Commissioners' Discussion and Questions**

**Christina Brown** reminded the Commission that if the plan were approved by the Commission, the Planning Board would still carry out a Site Plan Review. The Zoning Board of Appeals would issue the special permit.

**Christina Brown** reviewed Mr. Robinson's offers:

- He proposes providing 2 rooms for free staff housing to meet the Affordable Housing mitigation.

- He intends to provide continental breakfast only.
- There may be one wedding event per month, between 10 a.m. and 10 p.m.
- Exterior lighting will be only as required by code, with motion-sensitive security and down-lighting as required.
- Signage will be the street address, no larger than 4 sq. feet, approved by the Oak Bluffs sign committee.
- There will be no disturbance from construction within 20 feet of trees.

**Linda Sibley** asked whether the flag array is currently illuminated. **Jack Robinson** said the only exterior lighting is low-intensity lawn lights.

**Chris Murphy** reiterated that the Commission should be reviewing with staff the 1991 application and approval. He asked about the halogen lights currently located on the tennis courts. **Jack Robinson** said that in 18 years the lights have never been turned on and there is no night tennis. He said the approval said 'no use'; it doesn't specify 'no installation'.

**Chris Murphy** noted that the parking plan approved in 1991 was not implemented.

**Chris Murphy** asked about B&Bs in Oak Bluffs and the Commission's role; is it supposed to be looking at the impact on abutters and respect of town regulations, or only the regional impact.

**Christina Brown** said the Commission generally concentrates on the regional impact since town agencies look more specifically at the town's regulations and impacts.

**Chris Murphy** asked about the 'chicken coop'. **Jack Robinson** said that it originally had 5 rooms, and 2 rooms were demolished; it is a separate entity from the 5-bedroom B&B.

There was a discussion about parking.

- **Mr. Robinson** read the description of the parking plan as approved by the ZBA and recorded in the registry. It calls for an access road to Chickawaukee and shows 15 spaces along the western edge of the property.
- **Linda Sibley** raised questions about parking:
  - What would happen to the landscaping if the Commission were to insist that guests park on the property. Where would parking be?
  - Will the parking area need to be improved?
  - Does the town have a problem with cars parking on Chickawaukee? Is it public parking?
- **Jack Robinson** said that the proposal is to put in a gravel driveway and have the guests park on the grass.
- **Mark London** asked for clarification as to whether, with the new proposal, parking would continue to be along Chickawaukee and on the property as well, effectively creating a large parking lot with two rows of cars.
- **Christina Brown** asked how many parking spaces the B&B needs. **Jack Robinson** said he needs one for the first 25 rooms. He said his neighbor, the church, requires 40 or 50 spaces including the ones that back out on Chickawaukee.
- **Christina Brown** asked if there is currently enough parking. **Mr. Robinson** said there is plenty of parking.

**Kathy Newman** wants to be sure that the room numbers are clarified; she wondered how the rooms attached to the hotel can be considered not part of the hotel.

**Megan Ottens-Sargent** asked several questions.

- How many bedrooms are currently on the entire property, namely the whole three lots including the B&B, the 'chicken coop', and the main house?
- Does the ZBA's approved parking plan conform to the Commission's 1991 approval?
- If the Commission prefers the existing parking plan, does it need to rescind the 1991 condition?

**Linda Sibley** raised two questions:

- Does it really make a difference whether the 'chicken coop' is part of the hotel, since it creates the same impact?
- What is the best plan for parking, given that minimizing paving is advantageous?

**Andrew Woodruff** recognizes that Mr. Robinson has been through a lot in previous hearings, but he finds it inadequate not to have a more detailed plan.

**Chris Murphy** asked whether the three lots are shown on the plan and whether the three lots are separable. **Paul Foley** said the three lots are on the plan.

**Michelle Lazerow** asked if all the rooms are rented, and all guests have cars, and if you have a wedding once a month, where will the parking be? **Paul Foley** explained that the B&B shares parking with Christian Science Church. **Jack Robinson** said he and the church have had an unwritten agreement about parking and understand each other's schedule.

**Christina Brown** continued the public hearing to June 16<sup>th</sup> at 8:30 p.m.

There will be a site visit for Monday, June 6<sup>th</sup>, at approximately 5:00 p.m. and 8:15 a.m. on Thursday, June 9<sup>th</sup>.

## **2. ADOPTION OF MINUTES**

*Commissioners Present: J. Athearn, J. Best, C. Brown, C. Condon, M. Davisson, C. Murphy, K. Newman, N. Orleans, M. Ottens-Sargent, D. Pigeon, J. Powell, D. Sederholm, L. Sibley, P. Strauss, A. Woodruff*

The Commission reviewed the minutes of April 14, 2005 and agreed to the following changes:

- Line 146 should read "follow the posted rules"

**Mimi Davisson moved and it was duly seconded to adopt the minutes of April 14, 2005 as amended. A voice vote was taken. In favor: 12. Opposed: 0. Abstentions: 3. The motion passed.**

## **3. OTHER**

Christina Brown announced that LUPC will discuss the DRI Checklist at the first LUPC meeting of each month.

Summer Forums are scheduled as follows:

- June 22 - Living and Working in Paradise
- July 20- Paradise Lost? Are We Loving the Vineyard to Death?
- August 24 - Gridlock in Paradise.

The meeting adjourned at 9:15 p.m.

Linda F. Sibley  
Chairman

July 21, 2005  
Date

Nathaniel J. Means  
Clerk-Treasurer

July 21, 2005  
Date