

**From:** Ross Seavey rseavey@tisburyma.gov  
**Subject:** RE: Ecu Comp first floor determination  
**Date:** August 31, 2021 at 3:22 PM  
**To:** Alex Elvin elvin@mvcommission.org  
**Cc:** Xerxes A. xerxes.agassi@gmail.com, Pat Harris pharris@tisburyma.gov



Hi Alex,  
Sorry for my delay, never enough time in the day.

As you pointed out, there is a building code question and zoning bylaw question. The Planning Board is the special permit granting authority in this instance so they will be the one interpreting and applying the bylaw to the project, so it will be up to them to make the determination of whether the layout of the structure complies with TZBL 05.12.01. I will say the Board did use the building code definitions when reviewing 75 Main Street so there may be some precedent there.

For the building code, it does appear to me that the lowest level satisfies the definition of a story above grade plane as the finished floor surface of the next floor above appears to be more than 6 feet above grade plane. Grade plane is an average of the grade around the structure, so the one portion of the building where the grade rises up towards the seconds floor likely does not reduce the finished floor average height above grade to less than 6 feet. This math should be somewhat simple for the applicant to produce to confirm.

Hope that helps!

Thanks,  
Ross

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Inspector Open Office Hours

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Wednesday 2:00PM – 4:00PM  
Thursday 8:30AM – 10:30AM

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**From:** Alex Elvin <elvin@mvcommission.org>  
**Sent:** Wednesday, August 25, 2021 1:30 PM  
**To:** Ross Seavey <rseavey@tisburyma.gov>  
**Cc:** Xerxes A. <xerxes.agassi@gmail.com>  
**Subject:** Ecu Comp first floor determination

Hi Ross,

I hope all is well. The MVC is reviewing the proposed redevelopment of the Edu Comp building at 4 State Road, and commissioners had asked us to follow up on the proposal that the current basement will become the first floor. Our understanding is that the proposed bottom floor would potentially align with building code definition of "story above grade plane," so it could be considered the first floor.

Building code definition of "story above grade plane":

*Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:*

- 1. More than 6 feet (1829 mm) above grade plane; or*
- 2. More than 12 feet (3658 mm) above the finished ground level at any point.*

I would point out that the bottom floor on the northwest edge of the building (along the ingress from State Road) would still be below grade, as shown in the renderings, which might affect this determination.

[Renderings](#)

[Plan set](#)

Are you able to confirm that the project as proposed would comply with the building code definition and zoning bylaw 05.12? I realize that full confirmation might not be possible until the project is farther along, but we were hoping to get your input for the MVC review.

Thanks,

Alex

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