

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF SEPTEMBER 22, 1988 MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, September 22, 1988 at 8:00 p.m. at the Commission's offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA regarding the following Development of Regional Impact (DRI):

Applicant: George E. Pessotti
282 Upper Main Street
P.O. Box 1263
Edgartown, MA 02539

Location: Upper Main Street, Edgartown, MA

Proposal: New construction of an office building qualifying as a DRI since the proposal is greater than 3,000 square feet.

James Young, Chairman of the Land Use Planning Committee (LUPC), read the Pessotti's Public Hearing Notice, opened the hearing for testimony, described the order of presentations for the hearing, and introduced Greg Saxe, MVC Staff, to make his presentation.

Mr. Saxe gave the following presentation:

Proposal: Construction of new office building of 3,280 sq. ft. and a 29 space parking lot. Existing on site is an office building of approximately 2,900 sq. ft. which is to remain and a large garage (800 sq. ft.) which is to be removed.

Location: B-2 District just east of the intersection of Beach Road and Edgartown-Vineyard Haven Road, (Square Rigger Restaurant), on Upper Main Street next to Donaromas Nursery. Edgartown assessor's map 20A, lot 65-1.

Lot Size: 22,092 sq. ft.

Building design: Will reflect existing building which will remain on site. Height 28 feet (2 floors), Gable roof (asphalt shingles), clap board exterior.

Building use: Existing Island Group personnel and equipment will be relocated from existing inadequate on-site building. No new employees are planned.

Parking: 29 spaces proposed located at rear of lot. This design conforms with studies being conducted for the Planning Board by Dodson Associates. 28 spaces are required. A paved surface is required for a lot of this size to satisfy the drainage plan.

Lighting: Parking area and walks to be lit by "Progress Lanterns" on unpainted 3' wooden posts.

Landscaping: Parking area to be screened with white cedars, paved lot to be bordered by railroad ties, walkways will be brick, foundation beds will surround new building. Existing trees will be retained excepting those under new building and parking lots. This includes 60' Slippery Elm at the front of the site which is a prominent feature of the State Highway. The landscaped, frontyards and fences of the Island Group property and abutting residences to the west of the site are closed to the road in concert with wooded unbuilt land across the street provide a break between the open commercial expanse of the A & P area to the east and the Post Office area to the West. This is a significant feature of the B-2 district and should be preserved.

Drainage: Roof drainage and 1 catch basin in the front parking lot lead to 7 interconnected drywells under the driveway. Two catch basins in the rear parking lot lead to a series of 9 drywells within that parking area.

Concerns: Density - Although floor area to lot size ration is .27 (1.0 is permissible) the perceived density is significant. Furthermore, the row of buildings of which the Island Group is a part still retains residential character. These structures and the open field and wooded parcel across the street provide a buffer between the Your Market/Post Office complexes and the A & P/Tom's Deli area. This buffer is perceived entrance to Edgartown as one travels from Oak Bluffs down Beach Road, this character should be retained. Construction of a second structure on the site will change the character from residential scale to the scale of a downtown area.

Correspondence: TO: MVC, FROM: Edgartown Planning Board, DATE: September 16, 1988, RE: Proposal incorporates concepts outlined in consultants design study. Board recommends easement across back of property for future off street circulation between abutters.

After giving his presentation, Mr. Saxe showed a video depicting the site and pointed out several items of interest including the site of the proposed construction, the existing landscape and trees, the open space across the street, and the site of the proposed parking. Mr. Saxe then answered questions from the Commissioners.

Mr. McCavitt, Commissioner, Referring to the Dodson Concept Plan, the area to the left, what is the open space behind the 3 lots? Response, according to the Dodson Plan this area is the site for future parking.

Marie Allen, Commissioner, asked Mr. Saxe to explain the renderings on the wall.

Mr. Ewing, Commissioner, The existing building is not large enough so he wants to expand to the new building for office space? Correct.

Mr. McCavitt, Who is the architect? Susan Metzger of Edgartown.

Mr. Young, Commissioner, No new employees? None are indicated.

Mr. Evans, Commissioner, How many office spaces, old and new? Mr. Saxe said the proposed building had the capacity for 12 office spaces.

When there were no further questions from the Commissioners for Mr. Saxe, Mr. Young called on the applicant to make his presentation.

Mr. Pessotti, Care was taken in locating the proposed structure almost entirely behind the existing building to obstruct the view from the street. The current parking is unsafe with cars backing out onto the street and bikepath. The plan is to locate the reception area and real estate portion of the business in the front, existing building. The proposed building will be used to house the computer operations, accounting, and management. This is done to remove the noise and confusion of general operations and computers systems from the sales, real estate members of the company. He stated his willingness to reduce the parking on the back third of the lot. He is willing to cooperate with any future road patterns including tying his lot to the proposed road when necessary. Stated he wanted to keep the large trees and landscaping that exist on the site. Said he had received favorable comment from both his neighbors and the Historic Commission when he renovated the existing building.

When the applicants presentation was completed Mr. Young called on the Commissioners for questions.

Mr. Early, Commissioner, questioned the number of employees. Mr. Pessotti responded there are currently 12, 10 year round residents. He went on to say that the 2nd floor of the existing building is meant to be a conference room but due to space restraints they have had to put desks there.

Mr. Evans, There will be no new employees? The building suggests there is room. Mr. Pessotti responded that there were no plans for new employees now but it is difficult to predict future needs. There is adequate space if the business does expand. Mr. Evans then asked if the business doesn't grow is there anything to restrict you from renting the property? Mr. Pessotti said it would not be conducive to his business to do so.

Mr. Widdiss, Commissioner, asked if there were any living quarters? The response was no.

Mr. Early, what is the maximum number of cars that use the parking at any one time? The number varies, however, 80% of the time there are not more than 8-10 cars. The weekends are the busiest, particularly with Saturdays between 10:00 a.m. - 2 p.m. being check-out and check-in time for rental units. However these people are in and out

quite quickly, just creating traffic not posing a parking problem. Mr. Early asked if the applicant felt he could live with 1/2 of the parking proposed? Mr. Pessotti said that was correct. They did the plan according to Edgartown parking requirements and the Dodson Plan.

Mr. Evans, what is the number of office spaces in the existing building? The response was 4, 3 on the 1st floor and 1 on the second. We have retained the front room with fireplace as a sitting room to enhance the home quality. Mr. Evans, that would make a total of 16 office spaces? Mr. Pessotti said there is that potential but he intends to combine a few offices to make a computer area.

Mr. Geller, Commissioner, Where would the Dodson proposed road be? Mr. Saxe responded that it would be in back of the lots with the intention of connecting the rear parking lots. Mr. Young stated that Ms. Brown of the Edgartown Planning Board had been before the LUPC, and while nothing was definite, the basic intention was to get the local shopping traffic off Upper Main Street by allowing rear access between shops.

Mr. Jason, Commissioner, if the easement is needed how will you meet the parking requirements? Where would the easement go, in the back? Will you eliminate parking? Mr. Pessotti said there is the potential for that. He understands that the spaces lost will be allowed to be transferred to the public lot behind the site. He said the Planning Board said if there was cooperation there would be significant benefits but he is not sure what they will be at this point.

Mr. Young said he had hoped that a representative from the Edgartown Planning Board would have attended to give us information on cutting down the parking. As it stands now, if the MVC reduces parking by 15 spaces Mr. Pessotti would have to pay \$450 per space. He assumes they will revise this requirement to encourage shared access.

Mr. Morgan, Commissioner, asked Mr. Saxe what the additional trip generation would be per day. Mr. Saxe, presumably no expansion in employees or services. Mr. Morgan said if the number of trips generated would be changed significantly it should be included. Staff will provide this information at a later date.

Mr. Filley, Commissioner asked Mr. Pessotti if it would be agreeable to condition the use to be the same under the same ownership? Yes, with the same ownership.

Mr. McCavitt, Commissioner, asked what the proposed surface of the parking are would be. The response was that because of the drainage issue, stone was no good. He would rather use it but is forced to pave due to the drainage catch basins.

Mr. Morgan, Stated there were benefits to using pavement with drainage. Also stated that the elevation in this area was low and that there had been several failed septic. We should see the septic plans, old and existing. Mr. Saxe said the septic permits had been

approved and granted. Mr. Young asked if the current system would be disconnected? The response was yes.

Mr. Filley, Why did you go with a new building instead of an addition? Mr. Pessotti said it was mainly cosmetic. Mr. Saxe pointed out that this was part of the Dodson recommendation also.

Mr. McCavitt, is this near the Lily Pond well? Mr. Saxe responded that it is not in the zone of contribution.

Mr. Early asked when the septic permits were granted. Response, Approved in March of '88. Mr. Early asked why it didn't come here first. Mr. Young said it was procedure to get septic permits first and then submit site design. Mr. Pessotti agreed it was the normal procedure. Mr. Early then suggested that we ask the planning board about the surface of the lot in addition to the number of spaces needed.

Mr. Young then called on town boards or public for comments. When there were none he read the letter from the Planning Board which was summarized earlier in the staff presentation.

Mr. Jason suggested leaving the hearing open. It was agreed to leave the hearing open until the 3 points could be addressed. Namely (1) the number of parking spaces, Edgartown Planning Board, (2) the surface of the parking lot, Edgartown Planning Board, and (3) the number of trips generated.

At 8:45 p.m., Mr. Young continued the public hearing to a later date, pending information from the Edgartown Planning Board.

After a short recess Mr. Early reconvened the special meeting at 8:55 p.m. and proceeded with agenda items.

ITEM #1 - Chairman's Report

Mr. Early wants to discuss the memo from Mr. Barry Stein but first he will call upon Ms. Harney to give us some background.

Ms. Harney, Commissioner, said she had known Mr. Stein for years. That he and his wife, who teaches at the Harvard Business School, consult for companies and then submit reports on their findings. She was talking to Mr. Stein about her view of the Commission's workings and asked him if he would meet with Mr. Early, Ms. Borer, Mr. Jason and herself, which he did. He also met with Ms. Borer individually to go over Commissioner's handbook and other material and then came to a public hearing and took notes. The memo Mr. Early referred to was the result.

Mr. Early said that the 11 page memo was actually addressed to Ms. Harney. Wants to have a discussion on the comments, perhaps a committee should be established. He said the memo contained some good suggestions and provided a different perspective.

Mr. Early then referred to a M.V. Times article where the editor has seen fit to "take to task" nearly all parties which could possibly remedy the Moped situation (i.e. Selectmen of Vineyard Haven and Oak Bluffs, registry, police, legislature, MVC, and particularly the MVC attorneys). Mr. Early said he does intend to meet with our attorneys in the near future, he doesn't feel their responses are creative enough. Mr. Morgan pointed out last week what our chances are for a favorable response on the legislation. We have to look for alternative actions.

ITEM #2 - Old Business - There was none.

ITEM #3 - Minutes of September 15, 1988 - Motioned and seconded to approve. There was no discussion. The motion carried with one abstention (Jason).

ITEM #4 - Committee Reports

Mr. Young, Chairman of the Land Use Planning Committee, said they had met with Deer Run trust concerning Phase I modification. The Committee is awaiting site plans depicting the showers and changing rooms. They also met with Roger Wey and looked over his proposal, Mr. Pessotti, which was discussed early, and Mr. Martel. Concerning Mr. Martel the Committee is awaiting further documentation on agreements between Martel and the Campground Meeting Association concerning parking and septic. The Committee has learned that the DEQE has stepped in and they are, among other things, going to be extremely conservative in approving new septic. We suggest requesting Mr. Martel to give us a Title V septic plan and if DEQE accepts it, fine. Next Monday we will meet with Mr. Mitchell concerning the airport expansion and Mass. Audubon Society concerning their proposed subdivision.

Ms. Borer stated that the Task Forces would hold a mass meeting on Wednesday, September 28th at the Commission offices.

The Katama Airport DCPC Committee would meet Thursday, September 29th at 6:45.

Mr. Early then called attention to the long term agenda and specifically the October 6th meeting with MVY Trust to define the scope of the subsequent public hearing for modification.

ITEM #5 - Possible Vote - Morey Written Decision

It was motioned and seconded to approve the Morey DRI written decision. There was no discussion on the motion. On a roll call vote the motion carried with of 9 in favor, 3 opposed, and 2 abstentions (Jason, Evans). (Harney was in favor, Allen and Geller abstained).

ITEM #5 - Possible Vote - Island Athletic Club Written Decision

The motion was made and seconded to approve the Island Athletic Club written decision with correction (Page 7, Para 5, last sentence, change to Mr. Wey stated that he is concerned with a change of use of the property.). The motion carried with a vote of 9 in favor, 2 opposed, 3 abstentions (Jason, Evans, Wey). (Harney was opposed, Allen and Geller abstained).

ITEM #6 - New Business - There was none

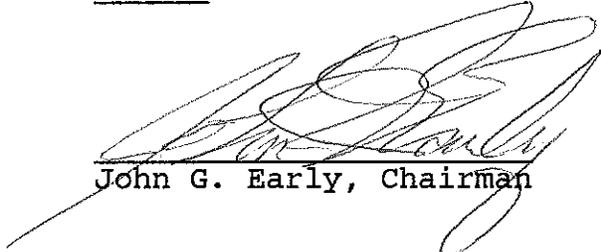
ITEM #7 - Correspondence

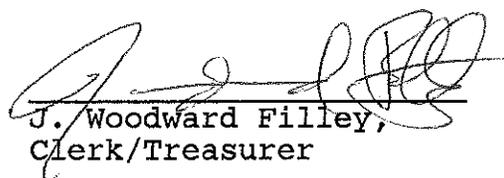
Mr. Early, Commissioner, called on Ms. Borer who referred the Commission to copies of a letter in their meeting material written in response to Mr. Leland's letter expressing concerns regarding the Cape Pogue DCPC designation. Ms. Borer didn't read the letter but said that she had suggested a meeting with the DCPC Committee. There has been no response to date.

Mr. Early encouraged Commissioners to attend the September 26th LUPC meeting. The M.V. Airport Expansion is a major project and the airport manager as well as LUPC want as much input as possible. He also noted that the meeting with the Land Bank had been rescheduled for October 20th at 7:00 p.m. to be held in the Commission Offices.

The meeting was adjourned at 9:20.

ATTEST


John G. Early, Chairman 9/29/88
Date


J. Woodward Filley,
Clerk/Treasurer 9/29/88
Date

Attendance:

Present: Jason, Lynch, Widdiss, Filley, Young, Eber, Ferraguzzi, Evans, Scott, Early, Wey, Ewing, Morgan, McCavitt, Allen, Geller, Harney.

Absent: West, Medeiros, Lee, Delaney, Harris.