

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF FEBRUARY 7, 1991

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, February 7, 1991 at 8:01 p.m. at the Martha's Vineyard Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, Ma. regarding the following Development of Regional Impact (DRI):

Applicant: Ernest P. Whitmore
RFD 301
Vineyard Haven, MA

Location: Main Street
Vineyard Haven, MA

Proposal: Conversion of dwellings to a bed and breakfast qualifying as a DRI since the property was the subject of a previous DRI.

Alan Schweikert, Chairman of the Land Use Planning Committee read the public notice and opened the hearing at 8:01 p.m. Mr. Schweikert announced the order of presentations and called upon Mr. Whitmore for his presentation.

Mr. Whitmore discussed the location of and the history of the structures in question. He described the houses in question and indicated where they were on the site plan. He then discussed the land uses surrounding the site. He discussed the historic and architectural significance of the three buildings. He then discussed the zoning by-law of Tisbury and some of the problems created therein.

Mr. Whitmore discussed the septic system and its design. He then discussed traffic and felt that it was not a major issue. He gave his reasons why. He indicated the number of parking spaces (15) and that there could be off-site parking using a valet system. He discussed the fact that he would like to discourage cars as much as possible. He also discussed the possible use of passes for the transit system. He then discussed the number of letters that had been received, the vast majority in favor. He discussed his commitment to quality and a fine operation. He discussed his personal feeling about the protection of the environment and the good transition from business to residential areas along Main Street. He discussed the potential effect upon the economy of this proposal.

Mr. Schweikert called for questions from the Commissioners. In response to a question regarding the number of existing bedrooms, Mr. Whitmore indicated that there could be 19 bedrooms using Board of Health standards. In response to a question regarding meals other than breakfast, Mr. Whitmore indicated that there would be none. Regarding the increase in square footage, Mr. Whitmore indicated that it would increase by approximately 20%. In response to a question of numbers of employees, he indicated 5 or 6 in the summer and they would not be housed on-site - wintertime would be 1½ persons. Mr. Whitmore indicated that there would be roughly 4,800 square feet of parking, peastone covered; the lawn would be mowed. A discussion of the occupancy of the structures followed. Mr. Whitmore discussed the design of some of the rooms particularly the common rooms and the bedrooms. Mr. Whitmore discussed the location of the second exit from the second floor. A discussion of the representations on the plans followed. A discussion of the total amount of square feet in the entire project followed. Mr. Whitmore indicated that there would be guests on third floor and twenty six (26) bathrooms. In response to a question regarding fire department access, Mr. Whitmore indicated that the fire department had no problem. A discussion of the Historical Commission's lack of support for the proposal followed. A discussion of handicapped access followed. The location of the handicapped rooms followed. Mr. Whitmore indicated that there would be 25 rooms for rent and one for himself.

Mr. Schweikert called on Tom Simmons to give the staff review. Mr. Simmons discussed the plans, the lack of addressing of affordable housing, any review from the Conservation Commission. He discussed the drainage and run-off from the site. He then discussed the issue of traffic and parking for the proposal. He discussed the number of parking spaces needed. Mr. Simmons discussed the problem of parking cars and backing out onto Main Street and the fact that such was not conducive to good planning. Mr. Simmons discussed the various pieces of correspondence from town boards. He then discussed the numbers of letters in favor (50) and the numbers against (5). Mr. Simmons discussed staff concerns: size of project; number of parking spaces particularly off-season; access drive location and need for signage to prevent the continuous circulation around the block if the entrance was passed; the need for low flush toilets and metered water system, garbage disposal systems and chemical cleaners should be prohibited and the septic system should be maintained regularly. He also discussed the need to protect the use of the right of way for an abutter.

Mr. Schweikert called for questions from Commissioners.
A discussion of parking spaces for the off-season followed.
A discussion of the location of the proposed septic system followed.
A further discussion of the numbers of parking spaces needed followed.
A discussion of the numbers of rooms in the larger inns followed.
A discussion of affordable housing followed.

Mr. Schweikert called for comments from town boards - there was none.

Mr. Schweikert then called for proponents.
Katherine Goodman - Vineyard Haven, supported the proposal fully. She felt the historic nature would be preserved.
Ben Clark - discussed the design of the proposal and the historic merit of structures. A discussion of the heating system indicated that no considerations had been given as yet.
Katherine Ferreira - spoke favorably of proposal.
Victoria DiStephano - spoke in favor of the proposal and of the historic nature and preservation. She discussed the setting of the area.
Louis Giordano - Tisbury, spoke in favor of the proposal.
Tom Wallace - spoke of detail and degree of proposal.

Mr. Schweikert called for opponents.
Peter Strock - abutter spoke of problem with location and whether such a use is allowed. He spoke of the scale of the proposal and its impact on abutting uses.

Mr. Schweikert called for other testimony - there was none.
Mr. Schweikert then indicated that there was considerable correspondence as noted by the staff. He then asked Mr. Whitmore if he had any final comments.
Mr. Whitmore discussed the impact upon the abutters and his feeling that he needed to be very considerate of them. He felt he understood the concerns.
Mr. Giordano discussed the issue of kitchen smells and how a ventilation system might work.
Mr. Schweikert called for additional questions from Commissioners. In response to a question regarding trash, Mr. Whitmore indicated where it would be located and how disposed of.
A discussion of a view from the harbor followed.
A discussion of the existing landscaping followed.
A discussion of the existing fireplaces followed.
A discussion of locations of the kitchen-dining room followed.
A discussion of the use of air conditioning followed.

There being no further testimony, Mr. Schweikert closed the hearing and indicated that the record would be kept open for one week for additional written information or comments.

The Commission recessed at 9:32 p.m. prior to going to the next hearing.

Mr. Schweikert reconvened the meeting at 9:41 p.m. and read the public notice regarding the following Development of Regional Impact (DRI):

Applicant: R.M. Packer Co., Inc.
Beach Road
Tisbury, MA

Location: Beach Road
Tisbury, MA

Proposal: Construction of piers and bulkheads in Vineyard Haven harbor qualifying as a DRI since the property was the subject of a previous DRI application.

Mr. Schweikert again noted the order of testimony and called upon Ralph Packer to make the presentation. Mr. Packer explained the purposes of the reconstruction. - improve berthing facilities, and better protection for the fuel tanks. He used several models to indicate each point that he mentioned. The new facility would be steel faced with a concrete deck.

George Wey, engineer, discussed the various technical aspects of the proposal. He further discussed the steel sheet bulkhead, the pier length and the various components that comprised the piers.

Mr. Wey discussed the dredging proposed and the location of where the dredged materials would go - behind the bulkhead.

Mr. Schweikert asked for questions from the Commissioners.

A discussion of where excess dredge might go followed.

A discussion of how much fill would be used followed.

A discussion of the design and construction of the proposal followed.

A discussion of the construction period followed.

Mr. Wey discussed the status of each of the permits needed before construction could move forward; the majority were pending.

A discussion of the potential dangers from fill followed as well as a discussion of any oil spill contingency plans.

A discussion of the primary reasons for the up-grading of the facilities at this time followed.

Mr. Schweikert called upon John Schilling of the staff to discuss the proposal further.

Mr. Schilling indicated that various local agencies had been contacted and that none thus far had any unfavorable comments.

He discussed the site drainage issue.

He discussed the possible timing of the proposed dredging.

Mr. Schweikert called for questions.

A discussion of a potential harbor study and the sources of funding followed.

Mr. Clark felt that some public benefit should accrue from the loss via filling of commonwealth tidelands.

Mr. Packer discussed the site drainage and the facilities that presently exist on-site. He also discussed various mitigation measures to off-set the loss of the tide-waters.

A discussion of correspondence received followed.

Mr. Schweikert called for town board comments - there were none. He then called for proponents - there were none; opponents - there also were none.

Mr. Packer made a brief closing comment regarding the project and the time that will be required to gather all permits.

There being no further testimony the hearing was closed at 10:38 p.m. with the record remaining open for one week.

Jenny Greene, Chairman of the Commission, called the Special Meeting to order at 10:39 p.m.

ITEM #1 - Chairman's Report - there was none.

ITEM #2 - Old Business - there was none.

ITEM #3 - Minutes of January 31, 1991

It was moved and duly seconded to approve the minutes as written. - so voted.

ITEM #4 - Committee and Legislative Liaison Reports -

LUPC - Mr. Schweikert discussed the meeting at which the Howes House in West Tisbury had requested a waiver of the fees. This was to be taken up under New Business. He then discussed the Spring Cove test borings and the questioning of same by Charles Cotnoir of West Tisbury. A discussion of the satisfying of conditions set forth followed.

He then discussed the changes to the Standards and Criteria.

PED - nothing to report.

There were no other committee reports.

ITEM #5 - Possible discussion Harthaven DRI -

Mr. Jason moved approval subject to conditions; duly seconded. The conditions being:

- no further subdivision of any land or lot;
- public access be continued with consideration for the zone of contribution.
- linkage between the Land Bank and the proposed open space.

- all septic systems must conform to Oak Bluffs Water Resource District Regulations as well as the Coastal District Regulations.
- lots 42,43 and 44 perc tests to be performed in spring of year - March through May.
- the applicant give an easement to the Water Dept. for the creation of loop water system.
- recognition of offer to give easement for alleviation of problems with Farm Pond and the Commission feels it should be finalized legally.
- acceptance of offer of open space to Land Bank or other non-profit conservation organization with guaranteed public access.

A discussion of the various conditions followed.

ITEM #6 - Possible vote Harthaven DRI -

On a roll call vote, the Commission approved the Harthaven DRI with no negative votes and three (3) abstentions.

ITEM #7 - New Business

Waiver of fee for Howes House application:

It was moved and seconded to waive the fee for the application of the Town of West Tisbury for renovations to the Howes House.
- so voted by voice vote with one abstention (John Early).

Mr. Jason raised a question of whether the demolition of Kelley's Kitchen needed to come before the Commission.
A discussion of this matter followed.

A discussion of whether the Commission had received any word from the Ethics Commission as yet followed.

Ms. Greene announced a meeting with the Edgartown Finance Committee for any one interested - Tuesday, February 12, 1991.

Ms. Greene then reminded all of the meeting on February 20, 1991 with the Tisbury Planning Board. A discussion of this matter followed.

Mr. Sullivan noted that the Road's Study Committee would meet on Monday, February 10, 1991. He gave a brief review of the last meeting.

ITEM #8 - Correspondence - there was none.

ATTEST

Jane A. Greene 2/28/91
Jane A. Greene, Chairman Date

Thomas Sullivan 2/28/91
Thomas Sullivan, Date
Clerk/Treasurer

ATTENDANCE:

Present: A. Kirk Briggs, Betty Ann Bryant, Michael Colaneri,
Michael Donaroma, John Early, Jenny Greene,
Benjamin Hall, Jr., Michael Hebert, Lenny Jason,
Robert Lee, Alan Schweikert, Linda Sibley, Tom Sullivan,
Roger Wey, John Clarke

Absent: John Best, Bert Combra, Jeff Benoit, Marie Allen,
Iris Davis, Marvin Geller, Ann Harney