

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF MAY 16, 1991

MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a public hearing on Thursday, May 16, 1991 at 7:30 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: Hugh C. Taylor
R.R. #1, Box 171
Gay Head, MA 02535

Location: off Lobsterville Road
Gay Head, MA

Proposal: Conversion of a residential property to a bed and breakfast/restaurant qualifying as a DRI since the proposal is for new commercial development with greater than 1,000 square feet of floor area.

Alan Schweikert, Chairman of the Land Use Planning Committee, (LUPC), read the Public Hearing Notice, opened the hearing for testimony at 7:36 p.m. and indicated that a presentation by the applicant would be the first order of business.

Hugh Taylor explained the background and history of the proposal. He indicated that 7 rooms optimum could be rented and explained why a special permit was needed. He discussed the commercialness of the eating establishment being proposed. He explained his reasoning for the request and the economic viability of having a restaurant.

He noted the food service areas and kitchen would be slightly greater than 1,000 square feet. He distributed photographs to aid in his presentation and to further explain the location of each of the features of the proposal, i.e. parking, access, dining, etc. He discussed handicapped access and noted that a ruling was expected shortly as to whether the guidelines were applicable to him. He showed where the access would be, the handicap bath, etc.

Mr. Schweikert asked for any staff reviews.

Mr. Clifford indicated that there were notes contained in the hand-outs from B. Wilcox in reference to the septic system. He explained the agreement with the Town as to who would be responsible for reviewing what and therefore the review was limited to the issue of the restaurant portion of the proposal. He discussed the letter received at the meeting from the Building Inspector and its

relationship to the staff notes.

Mr. Wey raised a question of the location of the handicapped bathroom and exactly what was currently existing. A discussion followed.

Mr. Hall asked for an explanation of how this had been referred and the reasons therefore. Mr. Taylor discussed the past operation of the proposal.

Mr. Lee raised a question of the existence of any engineering plans for the septic system. Mr. Clifford noted that such a plan existed. Mr. Taylor discussed the system as installed. A discussion on the reasons why certain numbers on the plan seemed to be in conflict followed.

Ms. Greene asked for the exact number of seats in the restaurant. Mr. Taylor indicated that 16 would be for guests and 20 for outsiders or a total of 36 maximum seats.

Mr. Hall raised a question regarding Title V regulations in Gay Head. A discussion of this matter followed. Mr. Clifford attempted to explain the reasons for differing numbers on the plan. Mr. Hebert of the Zoning Board of Appeals explained the reasoning for the change of numbers and their desire to have a re-review of the system. A discussion of this matter followed.

Mr. Hall questioned the capacity of the system and the numbers of seats available. Mr. Taylor explained how the numbers were derived.

Ms. Sibley raised a question of the capacity of the system with respect to the bedrooms.

Mr. Sullivan sought an explanation of how the operation of the restaurant would be conducted. A discussion of this issue followed.

Ms. Bryant raised a question regarding the number of outsiders who would be using the restaurant. A discussion of this matter followed. A discussion of the review by the Handicapped Access Board followed.

Mr. Combra questioned whether the seating would be by reservation only. Mr. Taylor indicated in the affirmative.

Ms. Greene questioned whether there would be lunches and breakfasts for outsiders. Mr. Taylor felt that lunch may be a possibility.

Ms. Sibley questioned the number of months of operation. Mr. Taylor indicated 3 or 4 months. A discussion of the bed and breakfast as a year-round operation followed.

Mr. Schweikert next asked for comments from Town Boards.

Wm. Sargent, Gay Head Board of Appeals (ZBA), discussed the issue of the septic system and asked for slow movement and in convert with the Town. He discussed the Board's feelings in this matter and asked for any clarification to indicate that any approval given should not imply

complete approval of all matters related to this proposal. A discussion of this matter followed. A discussion of future involvement of the ZBA followed and Mr. Taylor indicated that he was already scheduled with the ZBA.

Ms. Sibley questioned whether any past concerns of the ZBA were applicable still. Mr. Sargent felt that some were and they needed to be addressed on the Town level.

Mr. Hall questioned what was required from the various town regulations. A brief discussion followed. A discussion of the location of wetland in question followed. Mr. Lee explained the change in the by-law with respect to wetlands. A discussion of this matter followed.

Mr. Best discussed what defined wetlands.

Mr. Hall questioned whether there would be a restaurant sign. Mr. Taylor explained the type he would like to have.

Ms. Sibley questioned whether there were traffic concerns. There were none.

Mr. Schweikert then called for proponents - an unidentified male, possibly Wm. Sargent spoke in favor.

Mr. Schweikert then called for opponents - there were none.

There being no further testimony, the hearing was closed at 8:20 p.m.

Jennie Greene, Chairman of the Martha's Vineyard Commission, called the Regular Session to order at 8:32 p.m.

ITEM #1 - Chairman's Report

Ms. Greene asked for an up-dated status on Norman Friedman. Mr. Clifford indicated that he was well and at home now.

ITEM #2 - Old Business - There was none.

ITEM #3 - Minutes of May 9, 1991

Several corrections were made to the minutes. Mr. Hall noted in particular that he did not participate in Item #6; he had abstained. It was motioned and seconded to approve the minutes as corrected; the motion passed with 2 abstentions.

ITEM #4 - Committee and Legislative Liaison Reports

There was no LUPC report.

There had been no meeting of the Planning and Economic Development Committee as yet and Mr. Early noted that a meeting with the Oak

Bluffs Selectmen was being scheduled to consider a possible DCPC around Ocean Park.

Mr. Lee discussed the recent town meeting vote in Gay Head with respect to the DCPC regulations. All had passed.

ITEM #5 - Possible Discussion - Boch DRI

Ms. Greene read a letter from Schofield Brothers regarding a second meeting the LUPC on this matter. A discussion of this matter followed.

Mr. Early felt that the MVC had always acceded to requests of applicants and should do so this time, however the applicant should also agree to extend the 60 day decision period by an equal amount of time.

A discussion of the end of the 60 day period, new information and related matters followed.

A discussion of the use of the area followed.

A discussion of scheduling a meeting with the LUPC and the extension of time followed.

Mr. Clifford was directed to contact Mr. Barbini and agree to a meeting if an extension is granted.

Possible Discussion - Cape Cod Company

Ms. Greene noted that his matter had not been discussed at LUPC as yet and had not been included on the agenda. All agreed to wait until LUPC had met.

ITEM #6 - Possible Vote - No votes were taken.

ITEM #7 - New Business

Mr. Sullivan raised the issue of mailings of agendas. A discussion of this matter followed.

A discussion of LUPC and agenda notices being mailed followed.

Ms. Greene noted that there was a matter to be discussed regarding a DRI referral from Tisbury.

Mr. Hall left the room. He was asked to remain where he could listen since this item was not yet before the MVC. Mr. Hall stood but offered no comments.

Mr. Clifford explained what had been referred by the Building Inspector in Tisbury. A discussion of this matter followed. A representative of the applicant explained the project as projected but not yet submitted. They had submitted for an application for a foundation permit and it had been referred to the MVC.

A discussion of any future submittals which may be DRIs followed.

Ms. Green suggest a letter to the Building Inspector indicating how the checklist should be interpreted.

A discussion of additions to structures followed.

A discussion of local boards and not the MVC delaying these applicants followed.

ITEM #8 - Correspondence - There was none.

There being no further business, the meeting adjourned at 9:09 p.m.

ATTEST

Jane A. Greene 5/30/91
Jane A. Greene, Chairman Date

Thomas Sullivan 5/30/91
Thomas Sullivan, Date
Clerk/Treasurer

Attendance

Present: Best, Briggs, Bryant, Colaneri, Combra, Donaroma, Early, Greene, Hall, Hebert, Lee, Schweikert, Sibley, Sullivan, Wey, Allen.

Absent: Jason, Benoit, Clarke, Davis, Geller, Harney.