

# THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF MAY 21, 1992

## MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a Public Hearing on Thursday, May 21, 1992 at 8:00 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 J. Boch  
c/o Gino Montessi, agent  
P.O. Box 876  
Vineyard Haven, MA

Location: Beach Road  
Vineyard Haven, MA

Proposal: removal of structures and creation of a parking/boat storage area qualifying as a DRI since the proposal was in part or in whole the subject of a previous DRI application

Alan Schweikert, Chairman of the Land Use Planning Committee, (LUPC), read the Public Hearing Notice and opened the hearing for testimony at 8:09 p.m. It was noted that Mr. Briggs had left the room. Mr. Schweikert called upon the Applicant for his presentation.

Gino Montessi, agent for the Applicant explained the proposal and distributed additional copies of the plans. He explained what was depicted on the plans. He discussed the length of time involved in the planning process. He then explained the differences between this proposal and previous submittals. He discussed the proposed landscaping of grass along the buffer sides and rosa rugosa in the rear. He also noted that there would be no lighting proposed since it was thought that there may be a navigational hazard created. He then noted that there would be no septic facility on-site. The uses proposed were parking and boat storage. Mr. Montessi indicated that there was a need for employee parking for businesses on Beach Road. He was uncertain of the exact number as of this date. He then discussed keeping a portion of the site for persons taking the SSA since the proximity to the SSA dock was good. Mr. Montessi felt the heaviest usage of the lot would be between July and August and that usage would tail off in the fall, employee and restaurant users continuing to use the area. Boat storage would begin sometime around October 1st. Mr. Montessi discussed the problem of lack of boat storage and the effect this has on boat yard work. Mr. Montessi also noted that the proposal would open vistas to the

harbor, permit public access across the beach. He felt that there would be no traffic impact.

Mr. Schweikert called for staff reports.

Mr. Clifford explained the staff report that had been put together by John Schilling and Richard Rooney. He noted that questions that had arisen were noted on the last page. He also discussed the fact that changes had been made on the plan such as lengthening the stacking lane and moving the entrance westerly toward the center of the site.

Mr. Schweikert called for questions from Commissioners.

Mr. Clarke asked for an explanation of what was meant by usage and access by the public.

Mr. Montessi explained what was meant by permitting the existing foot path to remain and that the public would be allowed to traverse the beach area. He discussed the past usage of the beach for dingy storage and that there were no plans to discontinue such.

Mr. Montessi then discussed the various location in town where people parked their cars to use the boat, Memorial Field, Owen Park, and others.

Mr. Sullivan questioned the need to submit a drainage plan. Mr. Montessi noted that the site sloped to the center and felt there was no need to change the grades.

Mr. Sullivan then asked about the usage of rap and the perocity of same.

Mr. Montessi discussed the leaching characteristics of the rap materials, surface to be 2-3" thick and any oils that could easily be picked up. He further discussed the advantages of using rap, i.e., lack of dust, etc.

Mr. Colaneri questioned the location of the 100-year flood plain. Mr. Montessi discussed the location of the flood plain and showed the various flood levels on the plans.

Mr. Early further discussed the site grading and the need to have a plan since there are to be building removals.

Mr. Montessi discussed the lack of basements and the ease with which the structures could be removed without disturbing of the site. He discussed building removal techniques and suggested that the buildings might be available to anyone who would care to make an offer.

Ms. Sibley questioned whether the use was temporary, permanent or otherwise.

Mr. Montessi felt it would be permanent but if any further proposals were put forth, it would return as a DRI.

Ms. Sibley further questioned whether the rap would capture any spilled oils.

Mr. Montessi felt it would.

Ms. Sibley then asked if the Applicant would be comfortable with testing and removal of contamination. Mr. Montessi saw no problem with such an issue and a condition to that affect would not be a problem.

Mr. Best questioned the scale of the transect and noted that the plan was deceiving due to the scale used and the gradient was much gentler.

Mr. Colaneri questioned any work on the boats on-site.

Mr. Montessi explained that there would be no on-site work and all work on boats would be in boat yards.

Mr. Lee asked for percentage of the lot devoted to boat storage and the percentage devoted to car parking.

Mr. Montessi indicated that he was uncertain at this time. He was unsure as to the demand.

Mr. Lee questioned whether there had been any projections made.

Mr. Montessi explained how the boats would be faced and that they would be toward the rear of the lot, the front portion remaining open for parking of cars.

Mr. Montessi indicated rough approximation would be 25-30% boat storage and 60-75% car storage.

Mr. Lee questioned the usage of an employee and lack of shelter, and then questioned how the functioning of the lot would occur.

Mr. Montessi discussed the use of an attendant in the summer and possible use of stickers in the winter.

Ms. Sibley discussed the traffic impact and the issue of hourly rates.

Mr. Montessi noted that the minimum time would be half-day charges.

Ms. Sibley further discussed the potential of instituting upper limits on numbers of cars.

Mr. Montessi discussed valet parking. A discussion of how to police an upper limit number followed.

Mr. Montessi discussed usage of signs to direct traffic such as no left turn from lot.

Mr. Jason discussed whether areas were designated for different types of parking.

Mr. Montessi discussed the open lot concept and not designating areas for specific types of parking. A discussion of the future projections and fee schedules for the lot followed.

Mr. Jason questioned whether there would be any structures on the site.

Mr. Montessi indicated none.

Ms. Greene questioned the potential number of cars.

Mr. Montessi felt somewhere between 90 and 110.

Ms. Greene asked roughly if an attendant would be on-site.

Mr. Montessi felt they would be on-site from 8:00 a.m. to midnight.

Mr. Colaneri asked if the number of cars was based on no boat storage.

Mr. Montessi indicated 'yes' and that once boats were being stored the numbers reduced rapidly.

Mr. Colaneri questioned whether employees from Vineyard Haven Marina would be parking on this lot.

Mr. Montessi discussed ownership of the various parcels in the area and the involvement of the parties in question.

Mr. Colaneri asked about stacking racks for boat storage.

Mr. Montessi indicated none and explained why.

Mr. Clarke discussed how this proposal would create jobs. Mr. Montessi discussed how employment would be affected by this proposal through the provision of more boats to be worked on and stored.

A discussion of the lack of boat storage followed.

Mr. Clarke questioned security.

Mr. Montessi indicated no more than present.

Ms. Greene questioned when the site would be used as parking and when for boat storage.

Mr. Montessi felt pay parking would be from May 15 to a few week-ends after Labor Day; storage from October to late April.

Ms. Sibley questioned whether there would be any year-round boat storage.

Mr. Montessi felt none.

Mr. Clarke questioned any time limits for public access to the water - dawn to dusk; 9 to 5, whatever.

Mr. Montessi indicated 24 hours a day.

Mr. Best questioned where the access was; across the lot from any point.

Mr. Montessi indicated that the fence was to be removed so that access was from any point.

Mr. Donaroma asked if the public could be heard from.

Ms. Greene questioned the landscaping.

Mr. Schweikert noted the various types of landscaping.

Ms. Greene questioned the location of the trees which were required by zoning.

Mr. Montessi indicated that all required trees would be placed along the borders.

Mr. Schweikert called for town boards - there were none.

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

Mr. Schweikert called for opponents.

Margaret Wolontis felt the proposal did not meet the marine commercial district rules.

Mr. Montessi explained that boat storage was very much marine usage. He further discussed the feelings of the local board. A discussion of this issue followed.

Miles Carpenter discussed the features of the waterfront found in Beauford, South Carolina.

Mr. Schweikert called for any final comments from Commissioners.

Ms. Sibley asked for an indication of where water level and street level were on the transect plan.

Mr. Montessi indicated both.

Ms. Sibley questioned whether anyone could see over the cars.  
Mr. Montessi felt that they could.

There being no further testimony, the hearing was closed at 9:05 p.m.,  
the record being kept open for one week.

A brief recess ensued.

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The Martha's Vineyard Commission held a Public Hearing on Thursday,  
May 21, 1992 at 9:17 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: Gray Bryan  
P.O. Box 351  
Edgartown, MA

Location: Evelyn Way, Bordering on Olga and Eleanor

Proposal: construction of a commercial structure qualifying as a  
DRI since the proposal will have a floor area of 2,000  
square feet or greater

Alan Schweikert, Chairman of the Land Use Planning Committee (LUPC)  
read the Public Hearing notice and opened the hearing for testimony at  
9:17 p.m.

Mr. Schweikert called upon the Applicant for his presentation.

Doug Hoehn, project engineer, passed out additional copies of the  
proposal and explained what was being presented. He indicated those  
present in the audience. He showed the location of the site and  
discussed the existing uses in the area. He discussed the status of  
Eleanor and Olga streets. He indicated the existing buffer area on-  
site and the uses permitted in the area.

Mr. Hoehn explained the development plan: a 5,600 square foot  
building with two bays; one 40 x 80' and one 40 x 60'. A new septic  
system and a parking area are part of the proposal. He then described  
the structure, facade and materials. He then discussed the parking  
arrangement and loading areas as well as the drainage. He then  
discussed any landscaping being proposed. Lighting would be minimal  
and basically for safety purposes.

Mr. Hoehn then discussed the traffic and the fact that there would be  
no detrimental effect.

He then indicated that the Applicant would comply with the Housing  
Policy and provide \$5,000 as a contribution.

Mr. Bryan discussed the new location for the business and the traffic  
problems created at the old site. He discussed moving plans and the  
fact that the landscaping would be done by his wife.

Mr. Schweikert called for a staff report.  
Mr. Clifford discussed the traffic impact and the fact that there would be no impact.

Mr. Schweikert called for questions from Commissioners.

Mr. Best questioned whether there was a building presently on-site.  
Mr. Bryan indicated that George Willoughby's garage was on-site and would remain as a garage.

Mr. Sullivan questioned methods of dealing with hazardous materials.  
Mr. Bryan explained what was being proposed: 2 exhaust fans.  
He then discussed the operation of the business.

Mr. Lee questioned how solvents or thinners were handled.  
Mr. Bryan indicated that the only things on-site were kerosene, bottom paint, acetone, polybond, rosin.

Mr. Schweikert asked how the boats were marketed.  
Mr. Bryan indicated by mail.

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

Mr. Schweikert then called for proponents -

Bonnie Scott discussed the Board of Health inspection of the handling of hazardous materials and how everything was being done in compliance with the laws. She then noted that the majority of abutters all appeared in favor of the proposal.  
Mr. Schweikert read a series of letters all in support of the proposal.

Mr. Schweikert then read a letter with respect to Affordable Housing, pledging the sum of \$5,000 in compliance with the MVC Housing Policy. A discussion of this issue followed.

Dale McClure spoke favorably of the proposal.

Arlene McKay, abutter, raised an issue with the name of the street Chauncy Way and expressed her concern over noise and appearance.  
Mr. Bryan noted that his wife was a Garden Club member and she would be doing the landscaping. He discussed the addition of fencing and lawn. He then discussed the issue of noise.

Mr. Schweikert then called for opponents - there were none.  
He then called for any additional comments - there were none.

Mr. Hall discussed the status of Olga and Eleanor and what plan they came from.

Mr. Hoehn explained where the paper streets came from and who had rights where.

Ms. McKay discussed the status of the paper roads and where they came from.

A question of ownership of the roadways followed.  
Ms. Scott discussed this matter further.

Mr. Bryan again noted the problem the company had with leaving the present location as soon as possible.

Mr. Hall asked if the structure was to be insulated.

Mr. Bryan indicated yes.

There being no further testimony, the hearing was closed at 9:50 p.m.

There was a brief recess.

Jennie Greene, Chairman of the Martha's Vineyard Commission, convened the Regular Meeting of the Commission at 9:57 p.m.

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ITEM #2 - Review Discussion

Boch DRI - Mr. Jason discussed the confusing parts of the presentation. Many others felt the same.  
Mr. Donaroma discussed his feelings on the whole proposal.  
Mr. Schweikert felt that there were more benefits to the plan than previously seen and listed the benefits. He felt the items missing were trivial.  
Mr. Best discussed the original proposal vs. the latest submission and could not see any distinction.  
Mr. Lee discussed his feelings and felt there was little answered in the meeting.  
Mr. Early felt the presentation was poor.  
Mr. Sullivan felt uncomfortable with the traffic responses and explained why.  
Ms. Sibley felt there was potential for benefits but felt that there also was a great potential for problems due to poorly thought-out ideas. Mr. Colaneri felt there were positive factors but there may need to be a very long condition list to make the item acceptable.  
Mr. Jason discussed the issue of public transgressing the lot and lack of showing where there was to be the path for access. He felt that pick and choose was not the Commission's task.  
Mr. Colaneri discussed the issue of preservation of the Entwhistle Building and marine related uses.

ITEM #2 - Review Discussion

Bryan DRI- Mr. Sullivan felt there were positive features and little detriment.  
Mr. Colaneri questioned the items related to hazardous materials. He also questioned the two payments of the Housing Authority money. Mr. Jason discussed the payment and how to balance use of Island labor and no interest for second payment.  
Mr. Hall expressed concern over the lack of paving on the entire driveway. A discussion of this matter followed.

Mr. Jason suggested that landscaping, drainage and lighting all come back to the LUPC.  
Mr. Sullivan discussed the fact that town boards could adequately address any hazardous material issues.  
Mr. Colaneri discussed any future uses of the area.  
Mr. Jason suggested a yearly list to the Board of Health.  
Ms. Sibley discussed any potential changes of use returning to the Commission. A discussion of the special permit process followed. A discussion of whether any special permits issued were to an applicant or to the location followed.

ITEM #3 - Minutes of May 7, 1992  
It was moved and seconded to approve as drafted. - so voted with 2 abstentions (Best, Clarke).

ITEM #4 - Chairman's Report - there was none.

LUPC -

Mr. Schweikert reported on the meeting of May 18 with the Land Bank Commission. He noted the questions that were raised.

PED - no report

Mr. Early discussed the upcoming meeting of the Economic Task Force on May 27.

Mr. Wilcox reported on the Agricultural Task Force meeting. He discussed the questionnaire being sent out and the next meeting on June 10.

Legislative Liaison -

Mr. Clifford discussed the status of the pending changes to the MVC legislation.

ITEM #5 - Possible Discussion - Written Decision - Edgartown Pond Advisory Committee (dredging) DRI  
Mr. Jason made a motion to move to ITEM #6, duly seconded by Mr. Early.

ITEM #6 - Possible Vote - Written Decision - Edgartown Pond Advisory Committee (dredging) DRI  
Mr. Jason moved approval of the written decision as written, duly seconded by Mr. Early.  
On a roll call vote the motion passed with 3 abstentions (Best, Briggs, Clarke).

ITEM #5 - Possible Discussion - Boch DRI  
passed over  
Possible Discussion - Bryan DRI  
The Chair moved to ITEM #6

ITEM #6 - Possible Vote - Bryan DRI  
Mr. Jason moved to accept the Gray Bryan DRI as presented with the following conditions:

