

THE MARTHA'S VINEYARD COMMISSION

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MINUTES OF APRIL 1, 1993 MARTHA'S VINEYARD COMMISSION MEETING

The Martha's Vineyard Commission held a continued public hearing on Thursday, April 1, 1993 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: Kelly's Kitchen
Great Atlantic & Pacific Tea Company
c/o Richard J. McCarron
P.O. Box 1270
Edgartown, MA 02539

Location: Upper Main Street
Edgartown, MA

Proposal: demolition of an existing structure qualifying as a DRI since the proposal is located on land that was the subject of a previous DRI

Alan Schweikert, Chairman of the Land Use Planning Committee, (LUPC), read the Public Hearing Notice and opened the hearing for testimony at 7:39 p.m.

He then called on the Applicant for their presentation.

Carol Borer, agent for the A & P discussed the proposal. She presented a new parking lot proposal that had been worked out with the Edgartown Planning Board. She then discussed plantings, vehicular circulation, pedestrian circulation and the like.

Ms. Greene asked for a clarification of the plan. Ms. Borer explained the various features of the plan.

Mr. Sullivan asked if there was a staff report.

Mr. Clifford noted that there was nothing to review when the proposal first reached the Commission since the request was for demolition alone. The reason that there had been a delay was at the request of the Edgartown Planning Board to permit them to work with the Applicant on the issue of future use of the property once the structure was removed.

David Wessling, MVC staff, discussed the workings he had had with the A & P and the Planning Board on alternative plans. Mr. Donaroma discussed an agreement that had been worked out between the A & P and

the Planning Board.

Ms. Greene asked if the Planning Board would also work on the landscaping, lighting and the rest. Mr. Donaroma indicated that they were. He felt things were moving smoothly.

Mr. Briggs questioned the issue of traffic. Mr. Wessling discussed how traffic issues were evaluated. He discussed the various configurations that had been reviewed. Mr. Donaroma further discussed the various reviews and the meetings previously held and functioning of the design in the Fall with an eye toward making any necessary changes.

Mr. Briggs further questioned the stationing of a police officer. A discussion of this matter followed.

Mr. Briggs questioned where the trolley might stop. Ms. Borer discussed this matter and possible alternatives to stops. A discussion of this matter followed.

Mr. Schweikert read correspondence from S. Thomas indicating no problem but discussed issue of usage of building elsewhere. He then read correspondence from the Edgartown Board of Health indicating no problem but wished that the demolition materials be taken off-Island.

Mr. Schweikert then called for town boards.

Mr. Donaroma indicated that his comments were from the Planning Board as well.

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

Mr. Donaroma questioned whether the structure had been offered to any of the abutters. Mr. McCarron indicated no and explained the current status and condition of the structure. A discussion of this matter followed.

There being no further testimony the hearing was closed at 8:00 p.m.

 The Martha's Vineyard Commission held a public hearing on Thursday, April 1, 1993 at 8:00 p.m. in the Commission offices, Olde Stone Building, New York Avenue, Oak Bluffs, Massachusetts on the following Development of Regional Impact (DRI):

Applicant: Island Children's School
 P.O. Box 2512
 Vineyard Haven, MA 02568

Location: off Old County Road
 West Tisbury, MA

Proposal: construction of a pre-school facility qualifying as a DRI since the proposed development would serve the residents of more than one town

Alan Schweikert, Chairman of the Land Use Planning Committee (LUPC),

read the Public Hearing notice and opened the hearing for testimony at 8:04 p.m.

He then called upon the Applicant for a presentation.

Elaine Allen, Island Children's School, presented the plan and discussed the various aspects of the proposal. She discussed the various programs that currently take place at the school. She further discussed the land, the design, the wildlife, the setting of the area, etc. She noted that the building would be fully handicapped accessible. She then discussed traffic impact and circulation as well as the changing times of the various sessions.

John Schilling, MVC staff discussed certain aspects of the design as related to the parking, walkway and the land coverage ratio. He then discussed various letters from town officials.

Ms. Allen discussed a waiver of fee after costs.

Ms. Bryant indicated a question on handicapped access. Ms. Allen indicated that the entire complex would meet code for handicapped access.

Ms. Greene raised a question of possible uses across the street. A discussion of this matter followed.

Mr. Colaneri raised an issue with traffic and the adequacy of the road leading to the site. He discussed the usage on the road and the surface of said road being able to hold up under the traffic. He felt that the apron on the road should be extended.

A discussion of this matter followed.

Mr. Colaneri discussed the problems of dirt roads and the need for a higher standard for uses greater than residential.

A discussion of this matter followed.

Mr. Sullivan discussed the issue of pavement and faster travelling in proximity to the proposed school.

Mr. Schweikert then called for town boards.

John Alley, Board of Selectmen, spoke in favor of the proposal.

Mr. Schweikert then called for proponents.

Ken Bailey spoke in favor and further discussed the subdivision road agreement in place.

Mr. Schweikert then called for those opposed - there were none.

Ms. Allen then indicated that she hoped it would happen and be a dream come true.

There being no further testimony the hearing was closed at 8:26 p.m.

The Commission then took a 5-minute break.

Michael Donaroma, Chairman of the MVC, called the Special Meeting to order at 8:35 p.m.

ITEM #2 - Discussion - passed over

ITEM #3 - Approval of Minutes - March 18, 1993

It was moved and seconded to approve the minutes as written - so voted with 2 abstentions - (Briggs, Sargent)

ITEM #4 - Reports

Chairman's Report - Mr. Donaroma noted that the meeting of April 15 would be moved to April 22 when Eric Wodlinger will be present.

LUPC -

Mr. Schweikert reported on the various meetings that had occurred. He discussed Vineyard Decorators and Boch.

PED -

EDTF - Mr. Early discussed the up-coming meeting on April 21.

Agricultural Task Force - Ms. Greene reported on the meeting which discussed the attempts to get the Island labels ordered. A discussion of this matter followed.

Legislative Liaison -

Ms. Bryant noted that Congressman Studds would be visiting the Island on the weekend.

ITEM #5 - Discussion - Airport Business Park

Mr. Donaroma asked Mr. Clifford to explain certain aspects of the proposal.

Mr. Clifford discussed a number of items and asked that the proposal be considered as a total development package.

Ms. Greene moved that the proposal be considered under ITEM #6 and that the plan be approved with conditions and that the MVC not review each and every lot but that a development agreement be proposed to cover future reviews. A second motion was made.

A discussion of certain procedural matters followed.

- Discussion - Kelly's Kitchen

Mr. Hall left the room.

Mr. Sullivan discussed the flexibility developed by the Planning Board and the other items such as transit.

Mr. Donaroma hoped to have the decision worded to allow for future reviews to make any necessary adjustments.

A discussion of when the demolition might occur followed.

Mr. Jason discussed what the conditions might contain and

how the wording might relate to previous decisions. A discussion of traffic control followed.

Mr. Donaroma moved to ITEM #6 for a vote.

ITEM #6 - Possible Vote - Kelly's Kitchen

Mr. Colaneri moved approval with conditions, duly seconded. Mr. Jason discussed various aspects of the conditions. Mr. Briggs questioned whether any previous conditions had dealt with transit. He felt a condition dealing with transit was warranted. A discussion of this matter followed. Mr. Sullivan questioned the issue of affordable housing. A discussion of this matter followed. A discussion of whether there had been a housing unit on the site or not followed. Mr. Donaroma felt that there could be some transit resolution by the Planning Board during their review.

A further discussion of the affordable housing issue followed.

Mr. Colaneri asked if there was any offer from the A & P. Mr. McCarron indicated that there was no offer since the Applicant had provided a great deal previously. A discussion of the MVC Housing Policy followed. Ms. Greene read the Housing Policy and discussed the issue of demolition and whether there had been a true housing unit in the building. A discussion of this matter followed.

Mr. Donaroma discussed the history of the proposal. A further discussion of the MVC Housing Policy followed.

Mr. Best discussed the loss of a dwelling unit and the fact that should the building have been rehab, the unit might have remained. A further discussion of this matter followed.

Mr. Clifford noted that since the building was abandoned the apartment had been lost and would require a new special permit to be allowed.

A discussion of a recognition of the past contributions by the A & P followed.

On a roll call vote the motion to approve with conditions was passed with ten (10) yeas, five (5) abstentions (Briggs, Bryant, Hall, Riggs, Sargent).

ITEM #5 - Discussion - Island Children's School

It was moved, seconded and voted to move to ITEM 6. Mr. Hall returned to the meeting.

ITEM #6 - Possible Vote - Island Children's School

Mr. Jason moved approval as presented, duly seconded. Mr. Schweikert moved that the fees be waived except for cost, duly seconded. A discussion of this matter followed. So

voted.

Mr. Early noted that he approved of the proposal but he would have to abstain since he was a Selectman and an abutter.

Mr. Colaneri further discussed the issue of the adequacy of the road. A discussion of the matter followed.

On a roll-call vote the proposal was approved as presented with thirteen (13) yeas and two (2) abstentions (Hall, Early).

ITEM #5 - Concurrence - Vineyard Decorators - DRI or NOT
A discussion of this issue followed.

ITEM #6 - Mr. Jason moved that Vineyard Decorators be a DRI duly seconded, so voted with one (1) abstention (Greene).

ITEM #6 - Possible Vote - Airport Business Park

Mr. Colaneri questioned why the MVC should review the proposal as one unit and not review further.

Mr. Jason questioned whether this was to be treated in a similar manner to the DCPC that had been proposed in Oak Bluffs.

Mr. Clifford indicated that to a degree it was similar and further explained his feeling regarding the uniqueness of the proposal and the opportunity afforded the MVC. He further discussed his thinking of how to treat such a proposal and suggested various conditions that may be used in this instance. He discussed a possible design team to work with the Airport Commissioners.

Mr. Briggs discussed the nature of the proposal and felt that a certain degree of checks and balances would be lost if the MVC gave up some of the review responsibilities.

Ms. Greene moved approval with conditions and that a committee be created to establish the guidelines for the development of the Park, duly seconded.

Mr. Colaneri questioned what the next step would be if the development agreement were proposed. Mr. Clifford discussed how he felt the system would work.

Mr. Colaneri discussed his feelings on the need for greater input. He noted that he had calls from businessmen expressing concerns. A discussion of meeting affordable housing needs followed.

Mr. Schweikert discussed the development of guidelines and who would develop them. A discussion of this matter followed.

Mr. Clifford noted that the committee was only being charged with the creation of guidelines in draft form.

When questioned about full MVC involvement, it was noted that the draft would be returned to the full Commission for final approval or amendment or whatever.

A further discussion of why the proposal was before the MVC followed.

Mr. Sargent discussed his feeling of why the MVC needed to develop criteria. A discussion of this issue followed.

A discussion of reviewing various proposals at the Park before the Commission followed.

A discussion of all proposals coming to the MVC since they would be part of a previous DRI followed.

A discussion of motion followed.

Mr. Hall discussed the possibility of an expedited review process to be used.

Mr. Schweikert discussed various procedural issues and the fact that any document developed may not be acceptable so it could be dropped or changed.

Mr. Sargent further questioned what the roll of the committee was to be. A discussion of this matter followed.

Mr. Colaneri further discussed the type of criteria that might be used.

Mr. Hall discussed the uses that may be created at the Park and whether there was an endorsement of certain uses.

Mr. Clifford discussed some possible conditions that the Commission might wish to consider and read same.

- development agreement
- affordable housing compliance
- design review team for site review

On a roll-call vote the motion to approve with conditions was approved with fourteen (14) yeas and one (1) abstention (Bryant).

ITEM #7 - Old Business - there was none.

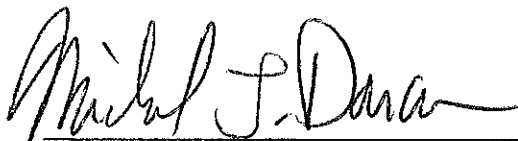
ITEM #8 - New Business -
Mr. Best requested the MVC meetings be changed to 8:00 p.m. starting time beginning in May.

ITEM #9 - Correspondence -
Mr. Schweikert read a letter from the Tribal Council Housing Authority requesting a letter of support for their proposed housing development.
It was moved, seconded and so voted to send a letter of support for the proposal. (Mr. Sargent abstained)

Mr. Schweikert then read a letter from the Tribal Council regarding a letter of support for an application to help produce the Moshup Legends. It was moved, seconded and

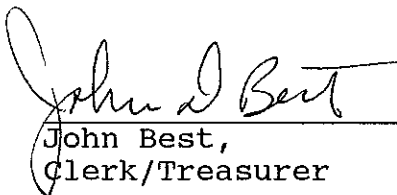
voted to send a letter of support regarding this proposal.
There being no further business, the meeting adjourned at 10:31 p.m.

ATTEST



Michael J. Donaroma,
Chairman

Date



John Best,
Clerk/Treasurer

4/22/93

Date

Attendance

Present: Best, Briggs, Bryant, Colaneri, Donaroma, Early, Greene,
Jason, Marinelli, Riggs, Sargent, Schweikert, Sullivan, Vanderhoop

Absent: Clarke, Allen, Bolling, Chapin, Gallagher