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Martha's Vineyard Commission

DRI #710 Redevelopment of Edu Comp Building MVC Staff Report – 2021-10-6

1. DESCRIPTION

- 1.1 **Applicant:** Xerxes Agassi (has property under purchase and sale agreement)
- 1.2 **Owner:** 4 State Road LLC
- 1.3 **Project Location:** 4 State Road (Map 9, Block A, Lot 6), Tisbury
- 1.4 **Proposal:** Renovation and expansion of the former Edu Comp building, including residential and commercial uses.
- 1.5 **Zoning:** Business 1 (B1)
- 1.6 **Local Permits:** Special Permit, Building Permit, wastewater approval
- 1.7 **Surrounding Land Uses:** Other commercial and residential uses in the B1 district; Veterans Memorial Park to the south

- 1.8 **Project History:** The existing Colonial brick building was constructed by the Sawyer Construction Company around 1929 as a headquarters for the New England Telephone Company, when common-battery technology was introduced to replace the older crank system. The building had both public telephones and a terminal room and switchboard, with room for 12 operators. The new system meant that callers could reach the operator by lifting a handset, rather than having to turn a crank. According to the Vineyard Gazette at the time, the building was designed “to conform as nearly as possible to the type of architecture to be found in the locality,” and resembled the former homes of whaling captains on the Vineyard. According to Martha’s Vineyard Magazine, the Island’s first transatlantic call, to England, took place from the building the year after it was constructed. According to a brief history by Chris Baer, the Vineyard converted to dial phones around 1963, and teams of operators were no longer needed.

The building housed the popular Island Youth Center (run by MV Community Services) in the 1970s and 1980s, with pool tables, a snack bar, and other amenities, but relatively little has been written about the building during that period. The building was remodeled in the 1980s and was the location of Edu Comp, which moved into the building in the 1980s and closed its retail operations in 2020. In 2020, the town selectmen considered using the building as temporary classroom space during the renovation of the Tisbury School, and as a future town hall. The building has recently housed offices for an architect, writer, interior designer, and tutoring service.

- 1.9 **Project Summary:** The proposal is to gut-renoate the existing 7,686 ft² building and construct a 16,800 ft² addition to the south (total of 24,486 ft²). The renovated portion will have three floors, and the addition will have four floors. As proposed, the first floor (extending across both portions) will have up to seven retail and/or office condo units totaling 3,156 ft², as well as bike storage and garage space at the rear of the building. The site slopes away from State Road, so the northern portion of the first floor will be below grade, although the front of the site will be excavated to create a storefront and entry facing the road. The areas along the sides of the building will also be excavated to allow for additional access and windows. The upper floors will have 15 one- and two-bedroom residential condo units totaling 14,609 ft², including two affordable units restricted to 80% Area Median Income, and three workforce housing units. The units would range in size from 640 to 1,629 square feet, with a total of 22 bedrooms. The roof would serve as a garden terrace with private jacuzzi and spa, and to house the HVAC and other mechanical equipment. A portion of the roof would be reserved as a private deck for one of the units.

2. ADMINISTRATIVE SUMMARY

- 2.1 **DRI Referral:** Tisbury Building Department
- 2.2 **DRI Trigger:** 3.1b (New construction over 3,500 ft², including mixed use; mandatory review)
- 2.3 **LUPC:** August 9, 2021
- 2.4 **Public Hearing:** October 7, 2021

3. PLANNING CONCERNS

- 3.1 **Wastewater:** The property has paid a betterment for 652 gallons of wastewater flow per day (GPD) to the town. The applicant recently applied to the town to connect to the sewer with the 652 GPD, and an additional 1,926 GPD, for a total of 2,578 GPD. The 22 bedrooms would require an allocation of 2,420 GPD. The proposed commercial uses would require 158 GPD if they were all retail uses, or 237 GPD if they were all office uses, so the total requested allocation may need to be adjusted in the future depending on the commercial uses. The current application before the town only accounts for retail use, so is at the lower end. The town is working to upgrade its treatment capacity, but the town Wastewater Treatment Facility is at or near capacity.

The Tisbury Wastewater Department issued a letter of conditional approval to the applicant on Sept. 16, 2021, stating that the town Wastewater Commission had approved the change of use on Aug. 30, 2021, with the following conditions:

1. *The applicant has 120 days to complete the MVC review process and return to the Wastewater Commission for final permission to connect to the sewer system, or request an extension.*
2. *The applicant will provide to the Wastewater Department a copy of the MVC Decision.*
3. *The applicant will provide to the Wastewater Department detailed plans for the on-site collection system, including the location of the proposed Duplex E/One grinder chamber and grease traps.*
4. *The applicant must pay any outstanding penalties, betterments, or fees to the town prior to any service connection.*

- 3.2 **Island Housing Needs:** As proposed, five of the 15 residential units (33%) would be designated as workforce or affordable housing, with the workforce units intended for employees of the Martha's Vineyard Hospital. The two affordable units would be restricted to 80% of the Area Median Income, and would be exempt from condo fees. The affordable units would be furnished, with two bedrooms each. The three workforce housing units would be available for long-term lease by the hospital (or other Island business), which the applicant has proposed will work with the Dukes County Regional Housing Authority (DCRHA) to ensure income qualifications and other certifications as needed. All residential units will be handicapped accessible via the side entrances on the ground floor and an elevator to the upper floors.

Proposed housing unit allocations are noted below:

Floor	Unit Type	Unit #	Unit Count	Square Footage	Bedrooms	Notes
2	Residential	R-2A	R-1	648	1	Workforce Housing
2	Residential	R-2B	R-2	1,228	2	
2	Residential	R-2C	R-3	820	1	Workforce Housing
2	Residential	R-2D	R-4	908	2	Affordable - 80% AMI
2	Residential	R-2E	R-5	957	2	Affordable - 80% AMI
2	Residential	R-2F	R-6	1,042	1	
				5,603	9	
3	Residential	R-3A	R-7	640	1	Workforce Housing
3	Residential	R-3B	R-8	1,447	2	
3	Residential	R-3C	R-9	820	1	
3	Residential	R-3D	R-10	851	2	
3	Residential	R-3E	R-11	961	2	
3	Residential	R-3F	R-12	1,052	1	
				5,771	9	
4	Residential	R-4A	R-13	785	1	
4	Residential	R-4B	R-14	821	1	
4	Residential	R-4C	R-15	1,629	2	
				3,235	4	
TOTAL	Residential			14,609	22	

Affordable Housing: Staff review

The proposed project includes 15 residential condo units and up to seven commercial condo units:

- Ten of the 15 residential condos will be for sale at fair market value.
- The applicant has offered to designate two residential condo units for Affordable Housing, income restricted at 80% AMI in perpetuity.
- The applicant has also offered to comply with the following criteria:
 - The Affordable Housing units shall be exempt from all condominium and homeowner association fees (insurance costs should be included).
 - The Affordable Housing units shall comply with all Affirmative Fair Housing Laws, Universal Design Standards, and MA 521 CMR (the specialized building code requiring access for persons with disabilities for buildings in Massachusetts).
 - The recipient shall be income-certified by DCRHA.
 - The recipient shall be selected by DCRHA via a public lottery process.
 - All DCRHA administration shall be at the applicant's expense.

- The Affordable Housing units shall be entitled to all benefits available to other residential owners.
- All future sales of the Affordable Housing unit shall be sold to households with incomes at or below 80% AMI (all subsequent buyers will be subject to the same restrictions).
- It should be noted that the applicant's narrative states: "Offsite alternate may be considered if approved by boards. It is TBD if the two affordable units will be rentals or home ownership opportunities."
 - Staff recommends that the Affordable Housing units should be consistent with the majority of residential units, whether homeownership or rental.
 - There has been no information relative to off-site Affordable Housing mitigations options.
- The applicant has also offered to lease three one-bedroom condo units for year-round workforce housing to a local business. According to the applicant, the workforce units shall be year-round leases, with an Island-based business that will manage the units and tenant occupancy. "Leases will limit any subleasing on these units and [tenants will] be entitled to all benefits available to other residential unit owners."
 - The applicant would prefer not to apply income restrictions to the workforce housing, in part because the tenants will likely be doctors with incomes greater than 150% AMI.
- The monetary mitigation for the additional 4,200 ft² of commercial retail space is as follows:
 - 4,200 sq ft X 4 (Retail Use) X 8 = \$134,400
 - Staff would recommend waving the monetary mitigation for the commercial space in exchange for the applicant's offer for three year-round workforce housing units, provided there is some income restriction and information regarding monitoring.
- The applicant's offer for two Affordable Housing units is consistent with the MVC Housing Policy.

3.3 Economic Development: The project would create up to seven commercial units in Vineyard Haven, in the vicinity of Main Street. According to the applicant, the commercial space is envisioned as "a continuation" of Main Street, with a 7-ft-wide arcade-style hallway on the bottom floor of the building, with a storefront and entry facing State Road. Although the units are proposed as office/retail, the applicant has stated that the proposed uses may change in the future. The units are also designed to be combined by the tenant, which could lead to fewer units overall. Hours of operation would be consistent with other businesses in the area. The side entrances to the commercial area will be handicapped-accessible.

Economic Development: Staff review

- The proposal is to convert the existing Edu Comp building to mixed use, with 15 residential condos and up to seven commercial condos within Tisbury's B-1 Business District.
- The proposed residential units will have a beneficial impact on the surrounding businesses, particularly retail shops and restaurants.
- It is not known which type of commercial use will be applied to the seven commercial units at this time. The applicant has not indicated whether the commercial uses would be most likely retail or office uses in the future.
- It is not clear if the commercial units will be for sale or rentals.
- The anticipated number of new jobs created, and hours of operation, for the seven commercial units are not known at this time.
- The property is on town water and has paid a betterment to be on the town sewer at the applicant's expense.
- The proposed renovation and new buildings will meet all fire and building codes
- The project will not have a significant impact on town services such as police and fire, since the development is located in a densely developed mixed use / commercial area.
- FY 2020 Assessed Value: \$1,618,400

- FY 2020 Property Tax Revenue: \$15,670
- The project will generate new additional commercial and residential property taxes for the town of Tisbury.
- The project will create a small number of new temporary jobs in the professional services and construction industries.

3.4 Traffic and Transportation: The property will have 17 parking spaces (including the four garage spaces and two handicapped spaces) to the rear of the addition. The existing driveways along State Road will provide ingress immediately to the west of the building, and egress immediately to the east. The abutting property at 10 State Road (DRI 622) to the west has an easement to access its parking spaces, but the easement does not align directly with the driveway for 4 State Road, and does not include egress. The applicant has stated that the abutter’s request for egress via 4 State Road could be accommodated, as long as it does not negatively affect the project.

In terms of pedestrian traffic, the project will create 15 residential units and up to seven commercial units, which will lead to an increase in foot traffic in the immediate area, including the intersection of Main Street and Sate Road. There are crosswalks at the intersection. The applicant has stated that the site may also be utilized to encourage access to Veterans Memorial Park to the south, which may further increase foot traffic. Access to the park currently exists via steps leading down from the parking lot, but would be improved and potentially relocated.

- A storage room for 15 bicycles will be located on the bottom floor of the building.
- Businesses located in the building would provide VTA passes to their employees.

Traffic and Transportation: Staff review

Existing Traffic: Traffic Counts along State Road were conducted from August 16-23, 2021. The average daily traffic (ADT) at State Road east of Edgartown-Vineyard Haven Road during that count week was 17,737 vehicles. The State Road west of Edgartown-Vineyard Haven location saw average daily traffic of 17,939. The ADT and directional splits are presented in the chart below.

August 16-23, 2021	ADT		
Location	(Average Daily Traffic)	EB	WB
State East of Edg-VH	17,737	9,046	8,691
State West of Edg-VH	17,939	8,790	9,149

Existing and Proposed Trip Generation: The existing land use on the property was a single-tenant building. Though the existing use does not currently operate at the levels it once did, the total daily generated trips that would be expected from that use is roughly 89 trips.

To project future trip generations, MVC staff worked with the applicant in identifying potential commercial uses that would occupy those spaces. The following land uses were evaluated and are also shown in the table below:

- 15 Apartments are expected to generate roughly 100 daily trips.
- 3,156 ft² of General Office Space is expected to generate roughly 35 daily trips.
- 3,156 ft² of Single Tenant Building is expected to generate roughly 37 daily trips. This analysis accounts for the possibility that the existing use will remain.
- 3,156 ft² of Specialty Retail is expected to generate roughly 140 daily trips. This analysis accounts for the possibility that Specialty Retail will replace the general office space.

Description/ITE Code	Units	Expected Units	Total Generated Trips			Total Distribution of Generated Trips					
			Daily	AM Hour	PM Hour	AM In	AM Out	Pass-By	PM In	PM Out	Pass-By
Existing Land Uses											
Single Tenant Building 715	KSF ²	7.7	89	14	13	12	2	0	2	11	0
Existing Trips			89 Daily Trips								
Proposed Land Uses											
Apartment 220	Dwelling Units	15.0	100	8	9	2	6	0	6	3	0
General Office 710	KSF ²	3.16	35	5	5	4	1	0	1	4	0
Single Tenant Building 715	KSF ²	3.16	37	6	5	5	1	0	1	5	0
Specialty Retail Store 814	KSF ²	3.16	140	22	9	10	11	0	4	5	0
Range of Combined Proposed Trips			135 - 240 Daily Trips								

Depending on the types of use that will occupy the 3,156 ft² on the first floor, the overall project is expected to generate between 135 and 240 daily trips.

Sight Distances: From the exiting driveway at 4 State Road and looking to the left, the clear sight distance is approximately 300 feet. Looking to the right, the clear sight distance is approximately 300 feet. The American Association of State Highway and Transportation Officials (AASHTO) safe stopping sight standard requires a distance of 360 feet for a passenger vehicle to complete a safe left turn from a two-lane highway at 30 mph. At a speed of 20 mph, the safe stopping sight distance is 240 feet. The sight distances for this proposal are adequate.

Safety: The potential for pedestrian/vehicular conflict at the State Road/4 State Road intersection is minimized by the clear sight lines along the sidewalk. Vehicles entering and leaving the site and pedestrians passing by the site have ample views to ensure safety.

Similar to conditions for pedestrians, potential bicyclist conflicts with vehicles entering or leaving the site is minimized because of favorable sight line conditions.

Bicycle and Pedestrian: There are no bicycle paths or routes on State Road in the vicinity of 4 State Road.

There are sidewalks on both sides of State Road at the location of the proposed improvements. The property is also situated directly between two crosswalks. One crosswalk connects to the sidewalk in front of the Martha's Vineyard Savings Bank, while the second crosswalk connects to the Mansion House.

Public Transportation: The Martha's Vineyard Transit Authority (VTA) provides bus service along State Road in front of 4 State Road. Transit Routes 2, 3, and 7 provide access to the site.

Access and Circulation: Existing access to the 4 State Road parcel is via a one-way, 10-foot wide driveway at State Road. To the rear of the existing building, there is an opening that provides access, through the parking lot of the adjacent 10 State Road building, to the proposed building and parking area. The applicant also has an agreement with the abutters that allows 10 State Road visitors to exit via the Edu Comp outbound driveway.

The applicant has held discussions with the owner of the property at the other side of 10 State Road regarding the establishment of a circulation pattern that will create a single access at State Road to serve the three properties. It is unclear if the applicant would have to sacrifice any parking spaces to facilitate those connections.

The advantage of a common access to the properties is the consolidation of the traffic patterns of four driveways at State Road into one. Such an access can be located and designed to minimize conflicts and congestion between State Road traffic and traffic generated by 4 State Road and its neighbors.

Parking: The proposal has a total of 17 parking spaces. There are 13 outdoor parking spaces, all of which will be visibly demarcated by cobblestones. There will be four parking spaces in a garage area under the building. Bicycle parking is also available onsite.

The ITE *Parking Generation* manual does not have parking demand calculations for the proposed uses. The uses that could be evaluated are not nearly the same and would dwarf this proposal, therefore an evaluation was not conducted.

The proposed project lies in the B-1 District. The B-1 District is exempt from the general parking requirements under Tisbury Bylaw 07.07.

Recommendations: This proposed multi-use project that promotes and connects all modes of transportation would be an enhancement to the area. The traffic operations, parking, and safety issues associated with the proposed development at the 4 State Road site are not of a magnitude that will cause unmanageable conditions.

The following recommendations are offered to enhance traffic operations at the 4 State Road site:

1. Ensure that pavement markings at the existing driveway are located such that drivers and pedestrians have maximum sight distances.
2. The parking areas will not be paved, and parking stalls will not be visibly defined on the parking surface. To ensure the 13 spaces will be properly occupied, some method for demarcation of the stalls should be devised.
3. The possibility of consolidating and sharing driveways at 10 State Road, Edu Comp, and the other adjacent property should be reviewed in greater depth through an access management study or agreement.

3.5 Character and Identity: The current brick building with metal roof stands prominently at the intersection of Main Street and State Road, and is architecturally distinct from the surrounding wooden buildings. The addition to the south will be similar in style to the existing building, but with shorter windows, four floors instead of three, and stone exterior on the bottom floor. The addition will not be visible when facing the front of the building head-on. The existing metal roof and rooftop masonry will be repaired to match the original, and the applicant has stated that a mature flowering tree at the front of the site will remain.

3.6 Cultural Resources: The site is a sensitive archaeological resource area known as the Vincent Site, and the applicant has authorized Public Archaeology Laboratory (PAL) in Rhode Island to conduct an intensive archaeological survey, as requested by the Massachusetts Historical Commission (MHC) in September 2021, following the applicant's submission of a Project Notification Form. The results of the survey were expected in early October 2021. Similar surveys for the adjacent properties at 10 and 18 State Road were conducted in

the 1960s, 2007, and 2010. The current survey will determine the extent of prior disturbance at 4 State Road, identify any significant archaeological resources that could be affected by the project, and provide information to help avoid or mitigate any adverse impacts on those resources.

- 3.7 Stormwater and Drainage:** The existing paved driveway will be replaced with pea stone set on sand hardener, increasing the amount of permeable ground surface on the site, although the amount of permeable area overall will decrease due to the larger building footprint. There are currently no stormwater facilities on the property. A new stormwater management system designed for a 25-year storm would direct roof runoff into a StormTech chamber under the parking area to the rear of the property, via nine catch basins around the perimeter of the building, including one near the main commercial entrance below grade. The walkways along the perimeter of the building will include linear trench drains that also connect to the subsurface chamber. The plan includes a concrete, stone-clad retaining wall at the rear of the property to help limit erosion and spill-over into Veterans Park to the south.
- 3.8 Energy:** The applicant has proposed mini-splits for heating and cooling, electric hot water tanks within each unit, and electric clothes drying, with propane for cooking and possibly for fireplaces. The applicant is also exploring options for a backup generator onsite, which may require approval from the Tisbury Conservation Commission, depending on the location.
- 3.9 Noise and Night Lighting:** HVAC condensers will be relocated from the side of the building to the roof. As proposed, the proposed lighting fixtures would be LED “up-down” lighting along the lower portion of the building, as well as landscape lighting beneath trees and shrubs, gooseneck downlighting on the retail store front and over the garage doors, and brass lantern sconce lighting for the exterior doors.
- 3.10 Landscaping:** The applicant plans to retain most of the existing vegetation, including the cherry tree on State Road, and native vegetation to the rear of the lot, and to add new vegetation to the front and sides of the building. A conceptual landscape plan by Donaroma’s, dated Aug. 5, 2021, shows a pea stone driveway and parking area set on sand hardener with cobblestone edges, cobblestone aprons at the beginning and end of the driveway, brick walkways, a new fence at southern end of the property (either split rail or wrought iron), and an in-ground automatic irrigation system.
- 3.11 Zoning:** The bottom floor of the building as proposed appears to qualify as a first floor and would therefore comply with Tisbury zoning bylaw 05.12, which states that residential uses are not allowed on the first floor of buildings in the B1 district. (The first floor as proposed would be the commercial area.) The MA Building Code defines “Story above grade plane” as follows:

Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is:

- 1. More than 6 feet (1829 mm) above grade plane; or*
- 2. More than 12 feet (3658 mm) above the finished ground level at any point.*

The first floor of the renovated building would have an average height of 10.07 feet, which is more than the six feet required under the MA Building Code. This accounts for portions of the building on the north and west sides that would still be mostly below grade.

- 3.12 Construction Management:** The applicant anticipates construction beginning in early or mid-2022 and lasting about 18-24 months. Construction of the commercial units would begin only after the commercial users are identified. Staging and parking for construction would take place onsite.