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# Martha's Vineyard Commission

## DRI #710 Redevelopment of Edu Comp Building MVC Staff Report – 2021-11-3

### 1. DESCRIPTION

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- 1.1 **Applicant:** Xerxes Agassi (Delano and Company; 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-renovate the existing 7,920 ft<sup>2</sup> building and construct a 13,360 ft<sup>2</sup> addition to the south (total of 21,280 ft<sup>2</sup>). 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 three office condo units totaling about 3,000 ft<sup>2</sup>, as well as bike storage and garage space at the rear of the building. The exterior of the addition could be either brick or white cladding. 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 14 one- and two-bedroom residential condo units totaling 12,064 ft<sup>2</sup>, including one affordable unit restricted to 80% Area Median Income, and three workforce housing units. The units would range in size from 571 to 1,528 square feet, with a total of 22 bedrooms. The roof would serve as a garden terrace (possibly with a small pool 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.

The table below shows a summary of key changes to the proposal following the public hearing on Oct. 7.

	PREVIOUS	REVISED
Commercial units	7	3
Residential units	15	14
Affordable units	2	1
Workforce units	3	3 (no change)
Bedrooms	22	22 (no change)
Total square feet	24,720	21,280
Parking spaces	17	21

## 2. ADMINISTRATIVE SUMMARY

- 2.1 **DRI Referral:** Tisbury Building Department
- 2.2 **DRI Trigger:** 3.1b (New construction over 3,500 ft<sup>2</sup>, including mixed use; mandatory review)
- 2.3 **LUPC:** August 9, 2021
- 2.4 **Public Hearing:** October 7, 2021; November 4, 2021
- 2.5 **Site Visit:** October 13, 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, and the proposed office uses would require 218 GPD, for a total of 2,638 GPD, so an additional 60 GPD is required above the amount approved by the town. 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, four of the 14 residential units (29%) would be designated as workforce or affordable housing, with the workforce units intended for employees of the Martha's Vineyard Hospital. One affordable unit would be restricted to 80% of the Area Median Income, and would be exempt from condo fees. The affordable unit would be furnished, with two bedrooms. The applicant has also offered to make an additional affordable housing contribution with the amount to be determined. 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	Parking	#	Notes	
2	Residential	R-2A	R-1	648	1	1	TBD		
2	Residential	R-2B	R-2	1,228	2	1	TBD		
2	Residential	R-2C	R-3	901	2	1	TBD		
2	Residential	R-2D	R-4	823	2	1	TBD	Affordable - 80% AMI	
2	Residential	R-2E	R-5	690	1	1	TBD		
2	Residential	R-2F	R-6	708	1	1	TBD		
				4,998	9	6			
3	Residential	R-3A	R-7	640	1	1		Workforce Housing	MVH
3	Residential	R-3B	R-8	1,447	2	1	TBD		
3	Residential	R-3C	R-9	901	2	1	TBD		
3	Residential	R-3D	R-10	708	2	1	TBD		
3	Residential	R-3E	R-11	690	1	1	TBD		
				4,386	8	5			
4	Residential	R-4A	R-12	581	1	1	TBD	Workforce Housing	MVH
4	Residential	R-4B	R-13	571	1	1	TBD	Workforce Housing	MVH
4	Residential	R-4C	R-14	1,528	3	1	TBD		
				2,680	5	3			
<b>TOTAL</b>		Residential	<b>14</b>	<b>12,064</b>	<b>22</b>	<b>14</b>			

***Affordable Housing: Staff review***

The proposed project includes 14 residential condo units and three commercial condo units:

- Ten of the 14 residential condos will be for sale at fair market value.
- The applicant has offered to designate one residential condo unit as Affordable Housing, income restricted at 80% AMI in perpetuity.
- The applicant has also offered to comply with the following criteria:
  - The Affordable Housing unit shall be exempt from all condominium and homeowner association fees (insurance costs should be included).
  - The Affordable Housing unit 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 unit 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 unit 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 has offered to restrict one of the workforce housing units between 100% and 150% of AMI, while the other unit may go above 150% AMI
  - Staff recommends that all workforce unit leases and income restrictions be certified by DCRHA annually at the applicant’s expense.
  - Staff also recommends that an affidavit be submitted to the MVC annually for compliance.
- The monetary mitigation for the additional 3,000 ft<sup>2</sup> of commercial retail space is as follows:
  - 3,000 sq ft X 2 (Office Use) X 8 = \$48,000
  - 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 one Affordable Housing unit is consistent with the MVC’s DRI Housing Policy

**3.3 Economic Development:** The project would create three office units in Vineyard Haven, in the vicinity of Main Street. And decrease the current commercial space on the site from 3,014 ft<sup>2</sup> to 2,907 ft<sup>2</sup> (about 3.5%). According to the applicant, the office space is envisioned as “a continuation” of Main Street, with entry facing State Road. 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 14 residential condos and three 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.
- The applicant has not indicated that the commercial space will be limited to office use only.
- 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 three 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 is located in the vicinity of shops, public transportation, bike paths, and other amenities, which would reduce the need for local automobile trips. The site would have 21 parking spaces (including the four garage spaces, two handicapped spaces, a delivery space, and a drop-off space) to the rear of the addition, with one space for each of the 17 units. The applicant has stated that the estimated traffic generation would be 124 trips per day, or about 10% less than the existing conditions.

The existing driveways along State Road will continue to provide ingress immediately to the west of the building, and egress immediately to the east. The abutting property at 10 State Road to the west was required to record an easement with 4 State Road as part of the MVC approval of DRI 622 in 2013. The easement was recorded, but does not align directly with the driveway for 4 State Road, and does not include egress. An informal agreement has also been in place to allow access to the abutting property at 5 State Road to the east, and to allow egress from 4 State Road over a portion of that property. The applicant has stated that the project does not require any new easements, but that any proposal by the abutters to revise the existing agreements will be considered.

In terms of pedestrian traffic, the project will create 14 residential units and three office units, which will lead to an increase in foot traffic in the immediate area, including the intersection of Main Street and State Road. There are currently two crosswalks at the intersection. The applicant has stated that the site will also be utilized to encourage access to Veterans Memorial Park to the south, which may further increase foot traffic. Two sets of stairs currently provide access to the park from the parking lot. The plans call for the access points to be improved, including an ADA-compliant ramp/bike path.

- A storage room for 18 bicycles will be located on the bottom floor of the building.
- Businesses located in the building would be required to provide VTA passes to employees.

*Traffic and Transportation: Staff review*

**Existing Traffic:** Traffic counts along State Road were conducted from August 16-23, 2021. The average daily traffic at State Road east of Edgartown-Vineyard Haven Road during that count week was 17,737 vehicles. The AM Peak Hour was from 10-11 AM and carried a volume of 1,352 vehicles, while the PM Peak Hour was from 4-5 PM and carried a volume 1,335 vehicles.

August 16-23, 2021	ADTV	Direction	
Count Location:	(Average Daily Traffic Volumes)	EB	WB
State Road East of Edgartown-Vineyard Haven Road	17,737	9,046	8,691
AM Peak Hour (10:00 - 11:00 AM)	1,352	684	668
PM Peak Hour (4:00 - 5:00 PM)	1,335	751	584

**Existing and Proposed Trip Generation:** The existing land uses on the property consisted of a 3,200 ft<sup>2</sup> educational retail establishment, an 800 ft<sup>2</sup> architect’s office, and a 200 ft<sup>2</sup> author's office. The total daily generated existing trips that would be expected from these uses was 153 trips.

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

- 14 Apartments are expected to generate roughly 93 daily trips.
- 1,042 ft<sup>2</sup> of TBD Office Space is expected to generate roughly 11 daily trips.
- 987 ft<sup>2</sup> of Interior Design Office is expected to generate roughly 11 daily trips.
- 878 ft<sup>2</sup> of Real Estate Office is expected to generate roughly 10 daily trips.

Existing Land Uses		Total Generated Trips			Total Distribution of Generated Trips			
		Daily	AM Hour	PM Hour	AM In	AM Out	PM In	PM Out
EduComp	3,200 sf	142	22	9	11	11	4	5
Architect Office	800 sf	9	1	1	1	0	0	1
Author Office	200 sf	2	0	0	0	0	0	0
<b>Existing Trips</b>		<b>153 Trips</b>	<b>23</b>	<b>10</b>	<b>12</b>	<b>11</b>	<b>4</b>	<b>6</b>
Proposed Land Uses								
Apartments	14 units	93	7	9	1	6	6	3
TBD Office	1,042 sf	11	2	2	1	0	0	1
Interior Design Office	987 sf	11	2	1	1	0	0	1
Real Estate Office	878 sf	10	1	1	1	0	0	1
<b>Proposed Trips</b>		<b>125 Trips</b>	<b>12</b>	<b>13</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>6</b>
<b>Proposed Trips -vs- Existing Trips</b>		<b>-28</b>						

The proposed land uses would generate 125 daily trips. These numbers show a reduction of 28 trips generated from the current existing uses.

**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 immediate 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. The applicant has also proposed brick walkways to delineate pedestrian pathways into and out of the building, including an ADA accessible ramp at the side of the building.

**Public Transportation:** The Martha's Vineyard Transit Authority (VTA) provides bus service along State Road in front of 4 State Road. Transit Routes 1, 2, 3, and 13 provide access to the area.

**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 informal agreement with the abutters that allows 10 State Road visitors to exit via the Edu Comp outbound driveway.

The applicant has shown that the proposed parking area would have adequate space for the turning radius of a typical 29' delivery truck such as those used by FedEx.

**Parking:** The revised proposal has a total of 21 parking spaces. There are 17 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. To ensure the 17 outdoor spaces will be properly used, some method for demarcation of the stalls should be devised.
3. The possibility of consolidating and sharing driveways at 10, 4, and 5 State Road 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 applicant has proposed white cladding as an alternative to the exterior brick of the addition.) 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. The proposed building is about 169% larger than the existing building, and would be one of the larger buildings in the immediate area. The project site abuts Memorial Park to the south, but the site is largely screened by dense vegetation from that direction. View of the site from Memorial Park are available here:

<https://storymaps.arcgis.com/stories/ea19c21a871f4eda91a79c5e9adbd23e>

**3.6 Cultural Resources:** The site is a sensitive archaeological resource area known as the Vincent Site, and the applicant authorized Public Archaeology Laboratory (PAL) in Rhode Island to conduct an intensive archaeological survey, as requested by the Massachusetts Historical Commission (MHC), following the applicant's submission of a Project Notification Form. The survey was conducted on Oct. 19, and the results are expected in early November. 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. The applicant proposes eight electric vehicle charging stations, and has proposed exploring additional offsite mitigation measures, in line with the MVC Energy Policy.
- 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 main commercial entry and over the garage doors, and brass lantern sconce lighting for the exterior doors. The parking area will have post lighting similar to that used by the town. A lighting plan and spec sheets have been provided.
- 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 8.77 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. The existing building

would be gutted, followed by site work, pouring of footings and retaining walls, and framing. At that point, additional staging would occur within the building footprint. Abutters will be able to access their properties during construction.