

Martha's Vineyard Commission – Referral Form for Developments of Regional Impact

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RETURN THIS FORM WITH DRI REFERRAL

APR 5 2024

Name of Applicant: Nickolas Peters

Name of Project: Mixed Use Commercial/Residential

Brief Project Description: Construct a 3460sqft +/- Mixed Use consisting of (3) commercial spaces and (2) residential spaces and basement

Address: 8 Indian Hill Rd.

Phone: 508-889-2618 Fax: Email: npc444@gmail.com

This project will require the following permits from the following local Agencies: (Please Specify)

Building Inspector: Building permit

Board of Selectmen:

Board of Health: X

Conservation Commission:

Planning Board: Site Plan Review

Zoning Board of Appeals: Special Permit

Other Boards:

Please include any narratives, plans, or other materials associated with this proposal before sending

For Town Use Only

Referring Board or Agent: Joseph K. Tierney, Jr.

I have reviewed the development application and have determined that it meets one or more of the items contained in the Standards & Criteria, I am therefore sending, via certified mail, the development application to the Martha's Vineyard Commission as a Development of Regional Impact.

Signature: [Handwritten Signature]

Print Name: Joseph K. Tierney, Jr.

Board: Building Department

Town: West Tisbury

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STATEMENT FROM MUNICIPAL LAND USE REGULATORY AGENCY: This Board has determined that the proposed project, for which application for a development permit has been made, is one of regional impact using the following criteria from Version 14 of the DRI Standards and Criteria:

(Please circle each of the applicable thresholds triggered by the proposed project)

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Italicized triggers are those that have maps to aid determination.

- 1.3 C) Discretionary Referral – “In-Town”
- 1.3 C) Discretionary Referral – “Between-Town”
- 1.3 C) Discretionary Referral – “Island-Wide”
- 1.3.D) Previous DRI’s – Modification
- 2.1 *Division of Commercial Land*
- 2.2 a) Division of Land – 5 or more parcels
- 2.2 b) *Division of Rural Land – 3 or more parcels*
- 2.3 a) Division of Land – 10-16 acres, 2+ parcels
- 2.3 b) Division of Land – 16-22 acres, 3+ parcels
- 2.3 c) Division of Land – 22-30 acres, 4+ parcels
- 2.3 d) Division of Land – 30+ acres, 5+ parcels
- 2.4 a) *Division of Farmland*
- 2.4 b) *Division of Farmland – Prime Ag. Soil*
- 2.5 *Division of Significant Habitat*
- 2.6 a) ANR with 3 or more parcels in past 5 yrs
- 2.6 b) ANR in Island Road or Coastal DCPC
- 3.1 a) Dev. of Commercial – 2,500-3,500 ft²
- 3.1 b) Dev. of Comm – 3,500+ ft²
- 3.1 c) Dev. of Comm – Addition of 1,000 ft²
- 3.1 d) Dev. of Comm – Combination 2,500 ft²
- 3.1 e) Dev. of Comm – 6,000 ft² Outdoor Use
- 3.1 f) Dev. of Comm – Change of Use/Intensity
- 3.1 g) Dev. of Comm – Reduced Dwelling Units
- 3.1 h) Dev. of Comm – Parking 10+ Vehicles
- 3.1 i) Dev. of Comm – Expansion of Parking 10+
- 3.1 j) Dev. of Comm – High Traffic Generator
- 3.4 a) Vehicular repair/refueling/junkyard
- 3.4 b) Storage of fuel/hazardous materials
- 3.4 c) Drive-thru window service
- 3.4 d) Restaurant in B-I not on sewer 50-99 seat
- 3.4 e) Restaurant in B-I 80-99 seats
- 3.4 f) Restaurant in B-I 100+ seats
- 3.4 g) Restaurant outside commercial district
- 3.4 h) Formula Retail
- 3.4 i) Visible storage container/vehicle/trailer
- 4.1 a) 5 or more Dwelling Units
- 4.1 b) 5 or more Rooms for Rent
- 4.1 c) 5 or more Dwelling Units or Rooms
- 5.1 a) Dev. in/within 25’ of Harbor
- 5.1 b) *Dev. in/within 25’ of 10+ Acre Body of Water*
- 5.1 c) Dev. in/within 25’ of the Ocean
- 5.2 Change in Use/Intensity of Commercial Pier
- 5.3 a) New Commercial Facilities on Pier
- 5.3 b) Expansion of Comm. Facilities on Pier
- 5.3 c) Change in Intensity of Use of Pier
- 6.1 a) Private Place Assembly – 3,500+ ft²
- 6.1 b) Private Place Assembly – 50+ seats
- 6.2 a) Public Place Assembly – 3,500+ ft²
- 6.2 b) Public Place Assembly – 50+ seats
- 7.1 a) Transportation Facility to or from M.V.
- 7.1 b) Transportation Facility 2+ Town Network
- 7.1 c) Expansion/Alt. of any principal road
- 8.1 a) Demolition/Ext. Alt. of MACRIS Structure
- 8.1 b) Demolition/Ext. Alt Structure > 100 years
- 8.2 a) Subdivision of Archeological Significance
- 8.2 b) Disturbance of Archeological Significance
- 8.3 *Significant Habitat – Site Alterations 1+ acre*
- 8.4 a) *Coastal DCPC – New access to coast*
- 8.4 b) *Coastal DCPC – New hard surface*
- 8.4 c) *Coastal DCPC – New parking for 5 vehicles*
- 8.4 d) Coastal DCPC – Development on Noman’s
- 8.5 Development per Town DCPC Regulation
- 8.6 a) *Development Current/Former Farmland*
- 8.6 b) *Development of Prime Agricultural Soils*
- 9.1 a) Telecommunications Tower over 35 feet
- 9.1 b) Tower Reconstruction/Replacement
- 9.2 a) Wind Energy Facilities over 150 ft
- 9.2 b) *Wind Energy Facilities in Ocean Zone*
- 9.2 c) *Wind Energy Facilities in Land Zone*
- 9.2 d) Wind Energy Facilities near Town Bound
- 9.2 e) Wind Energy Facilities – other
- 9.3 Solar Facilities greater than 25,000 ft²



Town of West Tisbury
BUILDING & ZONING INSPECTOR
West Tisbury, Massachusetts 02575

March 13, 2024

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APR 5 2024

Nickolas Peters
P.O. Box 1183
West Tisbury, Ma 02575

Re: 8 Indian Hill Rd.- New Commercial Building

COPY

Dear Nick,

I have completed an MVC and Zoning Review of your proposed project to construct a New Mixed-Use Commercial/Residential Structure to be located at 8 Indian Hill Rd., Map 16 lot 233. See below comments:

1. The project contains (13) parking spaces. The MVC requires new parking areas that provide spaces for 10 or more vehicles be referred for review (3.1 h). This referral is mandatory, with MVC concurrence. I am referring you to the MVC for this project.
2. To obtain the 1600sqft exclusion in Section 3.2 of the MVC Checklist the proposed apartments would need to be deed restricted as affordable. You did not indicate on your application whether the two proposed apartments would be deed restricted. Without the exclusion your total square footage would require an MVC referral under Section 3.1(a).
3. Section 4.4-2 requires Site Plan Review by the Planning Board of 2nd Story Apartments in the MB District. I am referring you to the Planning Board for Site Plan Review.
4. 8 Indian Hill Rd. appears to be a pre-existing non-conforming lot located in the MB District. The West Tisbury Zoning Bylaws, Section 11.2-3, only allows (1) second story apartment, not to exceed 800sqft, on non-conforming lots in the MB District. The proposed structure appears to contain (2) second story apartments. You may apply to the Planning Board for a Special Permit under 4.4-3(B) Multi-Family Housing bylaw for the second apartment. Fyi- The Multi-family bylaw requires that 25% of the bedrooms shall be in units that are restricted as affordable housing.
5. The West Tisbury Zoning Bylaws Section 4.2-2 B indicates that corner lots, when adjacent to a street, the front setbacks apply. There is no rear yard and (1) side yard. Based on the provided site plan, you will need 24' of front setback relief, from Indian Hill Rd., under Section 11.2-3 and 4.3-3 and 9.5' of side setback relief from adjacent lot, also under 11.2-3 and 4.3-3. You will need to apply to the ZBA for a Special Permit for the above relief.

Feel free to contact me if you have any questions. If anyone feels aggrieved by the above determination they may file an appeal with the West Tisbury Zoning Board of Appeals, within 30 days of this notice.