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Martha's Vineyard Commission

CR # 4 -2008 Up Island Paint & Tool

MVC Staff Report – 2008-07-25 Concurrence Review

1. DESCRIPTION

- 1.1 **Applicant:** Rachel Baumrin, Up Island Paint & Tool, Inc.
- 1.2 **Project Location:** 505 State Road, West Tisbury Map 16 Lot 70 (1 acre)
- 1.3 **Proposal:** To locate a paint and hardware store in a mixed-use building in the Business District.
- 1.4 **Zoning:** Mixed-Business District: Commercial
- 1.5 **Local Permits:** Site Plan Review by Planning Board.
- 1.6 **Surrounding Land Uses:** Both businesses and residences.
- 1.7 **Project History:** In September 2007 the Planning board approved the proposal to open a paint/hardware/house ware supply store at 505 State Road. The Board approved the proposal because it is an appropriate use in the Mixed-Business District, has adequate parking, and has been approved in the past for commercial uses such as an art gallery and an internet café. Later the Planning Board was informed by the lawyer of a similar project that went through the MVC that the project should have been referred to the MVC because hardware stores on the MVC list of high-traffic generating uses.
- 1.8 **Project Summary:** To locate a paint and hardware store in a mixed-use building in the Mixed-Business District in West Tisbury. The store has been operating in that location for several months.

2. ADMINISTRATIVE SUMMARY

- 2.1 **DRI Referral:** West Tisbury Planning Board.
- 2.2 **DRI Trigger:** 3.301h. 3.301 Any development of commercial, storage, office and/or industrial lands or building(s), or any private educational facility that has: h) is on the list of high traffic-generating businesses provided as Attachment B, with the concurrence of the Martha's Vineyard Commission.
- 2.3 **Pre-Application meeting with staff:** July 10, 2008
- 2.4 **LUPC:** July 28, 2008
- 2.5 **Site visits:**
- 2.6 **Public Hearing:** To be determined if necessary.

3. PLANNING CONCERNS

3.1 Some Key Issues

- Regional
 - The proposal may divert traffic from down-island by offering products that are not currently found up-island.
- Local
 - A similar use proposal in the neighborhood that included a new building was reviewed by the MVC.

3.2 **Environment**

- **Vegetation:**
- **Habitat:** This is not an NHESP habitat.
- **Landscaping:**
- **Open Space:**
- **Lighting:**
- **Noise:**
- **Energy/Sustainability:**
- **Waste Management:**
- **Water:**
- **Wastewater / Stormwater:**
 - The project site is located at an elevation of approximately 80 feet in the Tisbury Great Pond watershed. The parcel is 2.1 acres and is allotted a nitrogen load of 1.7 kilograms per year within our Policy.
 - Groundwater will be at a depth of over 50 feet below grade. The business is served by an on-site well and wastewater disposal system.
 - In the past, the property was used as a residence with some commercial space that would yield a wastewater design flow of 330 gallons per day (3 bedrooms) or more. More recently it was used primarily as commercial space that may have generated a lower wastewater design flow.
 - The proposed uses will generate wastewater at a design rate of:
 - 50 GPD per 1000 square feet for the retail store,
 - 75 GPD per 1000 square feet for the office space and
 - 110 GPD per bedroom.
 - Although it isn't possible to develop a design flow estimate at this point, it is unlikely that the wastewater flow will exceed what existed on-site in the past when the property was used primarily as a residence.
 - All past and proposed uses would exceed the nitrogen limit for this size parcel in this watershed.

3.3 **Transportation**

- **Access:** Access would be from two existing driveways located at 505 State Road and Amos Lane.
- **Parking:**
 - West Tisbury Zoning requires one space for each employee at a place of business, plus sufficient spaces for anticipated peak clientele, though a waiver maybe granted in the business district.
 - The amount of parking appears to be sufficient.
- **Traffic Summary:**
 - Observation at lunch time on Thursday July 24, 2008 was:
 - 261 cars driving on State Road Up-Island.
 - 276 cars driving on State Road Down-Island.
 - 4 cars entered the Up Island Paint /Citrine Property

- 2 cars left the Up Island Paint/Citrine property.

- **Impact Analysis:**

- The West Tisbury business district along State Road experiences significant traffic in peak season, but delays in the area are minor. This proposal should not have a significant impact in the area.
- Sight lines at the property are adequate.

3.4 Affordable Housing

- The change in use does not trigger the MVC's Affordable Housing Policy.

3.5 Economic Impact

- The use is allowed in West Tisbury's Business District.
- The existing 3,000 square foot building previously contained two retail stores: a clothing store and a plumbing store.
- The building now has a retail paint store and an office space for a contractor. The contractor's office employs 12 workers while the paint store employs 3 workers.
- The Contractor's Office operates year-round from 7:30 am - 4:30 pm Monday to Friday.
- The Paint Store is operates year-round seven days a week: 7:30 am - 5:00 pm Monday to Friday, 8:00 am to 4:00 pm Saturday, and 9:00 am to 3:00 pm on Sunday.

3.6 Scenic Values

- **Streetscape:** The property has not changed much in appearance. Two storage containers in the back were orange but have been painted grey since the Staff/Applicant Meeting.
- **Building Massing:** No change
- **Architectural Detailing:** No change
- **A.D.A. Accessibility**

3.7 Local Impact/Abutters

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4. CORRESPONDENCE

4.1 Town Officials: The West Tisbury Planning Board approved the change of use in September 2007. The Planning Board subsequently referred the project after being informed that the project should have been referred under 3.301h (high-traffic generating businesses). The West Tisbury Planning Board, in their referral letter, requested the MVC not require a public hearing for this proposal. They felt that the proposal was not of regional nature and could be dealt with at the town level because it is an appropriate use, has adequate parking and has been approved in the past for commercial uses.

4.2 Island Organizations:

4.3 Public: