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**Minutes of the Commission Meeting
Held on October 3, 2013
At the Tisbury Senior Center
34 Pine Street, Vineyard Haven, MA**

IN ATTENDANCE

Commissioners: (P= Present; A= Appointed; E= Elected)

P Tripp Barnes (E-Tisbury)	P Joan Malkin (A-Chilmark)
P John Breckenridge (E-Oak Bluffs)	- W. Karl McLaurin (A-Governor)
P Christina Brown (E-Edgartown)	P K. Newman (A-Aquinnah)
P Madeline Fisher (E-Edgartown)	P Ned Orleans (A-Tisbury)
P Josh Goldstein (E-Tisbury)	P Camille Rose (E-Aquinnah)
P Erik Hammarlund (E-West Tisbury)	P Doug Sederholm (E-Chilmark)
P Fred Hancock (A-Oak Bluffs)	P Linda Sibley (E-West Tisbury)
P Leonard Jason (A-Edgartown)	P Brian Smith (A-West Tisbury)
P James Joyce (A-Edgartown)	

Staff: Mark London (Executive Director), Bill Veno (Senior Planner), Paul Foley (DRI Planner), Sheri Caseau (Water Resource Planner), Priscilla Leclerc (Transportation Planner), Christine Flynn (Economic and Affordable Housing Planner)

Chairman Fred Hancock called the meeting to order at 7:00 p.m.

1. MINUTES

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, J. Goldstein, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, N. Orleans, C. Rose, D. Sederholm, L. Sibley, B. Smith.

Christina Brown moved and it was duly seconded to approve the minutes of September 12, 2013 as written. Voice vote. In favor: 13. Opposed: 0. Abstentions: 3. The motion passed.

Josh Goldstein moved and it was duly seconded to approve the minutes of September 19, 2013 as written. Voice vote. In favor: 12. Opposed: 0. Abstentions: 4. The motion passed.

Fred Hancock noted that the Bayside/Houlahan Subdivision, Edgartown (DRI-450-M2) Written Decision has been moved to the MVC meeting on October 17, 2013.

Josh Goldstein recused himself from the meeting due to the location of his family business near the Stop & Shop proposal.

2. STOP & SHOP EXPANSION DRI 89-M3

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, N. Orleans, C. Rose, D. Sederholm, L. Sibley, B. Smith.

For the Applicant: Dave Taglianetti (Stop & Shop), Deborah Farr (Stop & Shop), Chuck Sullivan (Architect), Geoghan Coogan (Attorney), Greg O'Brien (Stop & Shop)

Brian Smith, Public Hearing Officer, opened the continued Public Hearing at 7:05 p.m. This is a continuation of the Public Hearing for DRI 89-M3. The location for the hearing is the Tisbury Senior Center. The applicant is the Stop & Shop Supermarket Company. The process for the hearing tonight will be a brief update from staff, a presentation by the applicant, and then the hearing will be open to testimony from public officials and the public.

Mark London noted that transportation will not be reviewed at tonight's meeting. The MVC peer reviewer and VHB representing Stop & Shop have agreed to meet and review the findings before further presentation. If there are public comments at this meeting about transportation, notes will be taken and information given at a future meeting.

Brian Smith said there will be a five-minute limit on questions and comments from members of town boards and the public.

Ned Orleans asked if the Commissioners should disregard the memo on transportation. **Paul Foley** said the memo should not be disregarded, questions may be asked regarding the subject but there will not be a presentation on transportation. **Fred Hancock** added there will be a full presentation on transportation at the next Stop & Shop public hearing.

2.1 Staff Report

Paul Foley presented the following.

- Key changes are as follows:
 - The front of the store on Water Street was moved back two feet. There will be plantings and a larger sidewalk on Water Street allowing for street trees.
 - The ridge height on Water Street appears to be higher, though this needs to be clarified.
 - The main entry ramp was moved from the municipal parking lot onto Stop & Shop's property.
 - A small bathroom was added, one stall for each gender, located next to the truck dock and accessible from outside.
 - The transformer has been relocated.
- The building is now approximately 1,030 s.f. smaller than the previous plan.
- The existing Stop & Shop spaces include the grocery store (9,408 s.f.), a non-food store in the basement (4,162 s.f.) and a health food and outdoor store in the former Midnight Farm location (5,203 s.f.) for a total of 18,733 s.f. Also on the site are two vacant buildings, the former Chinese restaurant with upper stories (6,380 s.f.) and a house at 15 Cromwell Lane (1,808 s.f.). The total existing floor area is 26,961 s.f.

- The breakdown of the square footage is as follows;
 - Footprint 24,212 s.f.
 - Shopping Floor 18,577 s.f.
 - Back of House 11,382 s.f. (5,178 s.f. upstairs and 6,204 s.f. in the basement)
 - Store 29,959 s.f. (shopping floor and back of house)
 - Garage 16,468 s.f.
 - Structure GS.F. 46,874 s.f.
- The MVC sent a computer model in Sketch Up to Stop & Shop and they inserted their proposed building into the model. The model was reviewed to show the massing in comparison to downtown and an aerial view shows the scale of all of the buildings in the area. The footprint of the proposed plan is about ten times the size of typical Main Street buildings and is larger than the Mansion House.
- Key Issues are:
 - Transportation: What will the traffic impact be of doubling the size of the store and adding 42 parking spaces on the already congested area, notably Water Street and the Five Corners intersection? How should the circulation work in and out of the town and Stop & Shop parking area as well as the truck dock? Can the traffic impact be offset by making improvements to the larger area?
 - Stormwater: The site is partly in a flood zone and currently pervious surfaces exist will be built over. How will the stormwater be handled?
 - Economic Impacts: Does the project reinforce or undermine the Main Street business district? How can this project best catalyze improvements to the area?
 - Construction Process: What impacts from the construction process are anticipated and how will they be minimized and mitigated?
- In the narrative dated September 26, 2013, the Applicant says they are prepared to carry out an intense archeological survey of 15 Cromwell Lane and the Golden Dragon property as recommended by MHC and implement such requests as may result from the survey.
- The Applicant says the lighting will be determined by code requirements and all lights will be downward facing with the exception of sign illumination and emergency lighting.
- The Applicant has not submitted updated stormwater management plans. They have said all stormwater management will now be on the applicant's property. They submitted a memo stating they must comply with the Massachusetts Stormwater Management Policy.
- There have been several memos by VHB and the peer reviewer, HSH, resulting in a memo submitted by VHB on September 24, 2013 and HSN peer review comments submitted on October 2, 2013 regarding the transportation summary.
- According to the MVC Affordable Housing Policy the recommended monetary mitigation for a store of about 49,000 s.f. would be about \$89,000 (to be recalculated once the total gross floor space is clarified). Stop & Shop is prepared to make a financial mitigation offer in accordance with the MVC Affordable Housing Policy but has not made a monetary mitigation offer at this time.
- The Applicant provides housing for 34 of the 152 year-round associates and 30 of the 279 seasonal associates. (Staff assumes these figures are for both stores). The Applicant has offered to continue to use its ten year round rental properties as well as increase the number of rentals for employee housing based on the number of new employees. The

applicant has not provided specific information relating to the number of bedrooms or whether the housing will be provided to year-round or seasonal employees.

- The Applicant has also offered to continue to collaborate on other affordable housing efforts but has not provided specific information.
- It has been said that the Tisbury Stop & Shop is reported to be one of Stop & Shop's top grossing stores.
- In the narrative dated September 26, 2013 the Applicant says this will be a grocery store. "There will be no pharmacy located, or coffee bar, or other business operation within the store".
- The total number of Stop & Shop employees on the Island is 431 (Note: Staff assumes these numbers are for both the Edgartown and Tisbury stores.)
- The total seasonal and year round breakdown are as follows:
 - 279 seasonal associates (47 full time and 232 part time)
 - 152 year round associates (47 full time and 105 part time)
 - The applicant expects the proposal to generate 50 new jobs.
- Stop & Shop corporate signs will be located above the Norton Lane and Water Street entrances. The main sign appears to be about 40 to 60 square feet, whereas the Tisbury zoning bylaw limits the area of a sign to 20 square feet.
- Diagrams of the proposed truck turning were reviewed. Truck maneuvering takes place on public property.
- The Town of Tisbury has a committee working on a proposal for the parking lot separately from the Stop & Shop proposal.
- Photos were shown of the proposed plan in July and the new proposed plan.
- The mean grade is at elevation 9' and the ridge line of the building facing Water Street will be elevation 43'. The sidewalk is elevation 6'.
- Photos were shown of the proposed location from different angles on Water Street, from the Post Office, from Cromwell Lane, and from the Mansion House.

Ned Orleans asked how high the house is next to the former Golden Dragon. **Paul Foley** said he did not have that information.

Mark London said that there are two separate, though related, issues when comparing the size of the proposed building to what it there is now, the store size and the building massing. With respect to store size, the proposed store is about double the size of the existing store, but it is not that much greater than the total floor area of all the different structures now on the site. The total enclosed floor space that Stop & Shop owns is now about 27,000 s.f. and the proposed enclosed floor space is about 30,000 s.f. The building mass is the physical volume of the entire structure located above grade, including much of the parking garage.

Erik Hammarlund asked for clarification of the definition of a grocery store. Do state law or town regulations define what a grocery store is?

Ned Orleans noted that the Steamship Authority is also a key issue, since the impacts on the SSA must be a major concern.

Brian Smith asked that the line about the top grossing store be stricken from the Staff Report since the MVC does not know if this is accurate information. **Deborah Farr** said that this is not correct.

Linda Sibley asked if the MVC has heard anything regarding energy from the applicant. **Paul Foley** said Stop & Shop did mention at one time the possibility of solar panels but the MVC has not received a proposal about it.

Leonard Jason asked to see the floodplain and also asked if the year round housing is being replaced by Stop & Shop. **Paul Foley** said on Cromwell Lane there was an apartment with small bedrooms. Stop & Shop has said they will continue to provide employee housing. He will clarify the current elevation and new limits of the floodplain.

Leonard Jason asked if the plan included any commercial activity in the floodplain. **Geoghan Coogan** said there isn't, it is storage. **Paul Foley** also added that in that area there is the vestibule, bottle return, carriage area, and the elevator.

There was a discussion about Cromwell Lane.

- **Tripp Barnes** said the Town owns the parking lot but asked who owns Cromwell Lane.
- **Mark London** said Cromwell Lane is privately owned.
- **Tripp Barnes** asked if the abutters who own the road have been contacted.
- **Mark London** noted the proposal is now completely on Stop & Shop property and not on Cromwell Lane.

Camille Rose asked about the propane tanks and where they are now located. **Geoghan Coogan** said the proposal is now oil and the tanks are inside.

Ned Orleans said it was mentioned that the building is moved back two feet for landscaping and trees and asked who pays for the landscaping and the maintenance. **Paul Foley** said they would be street trees; Stop & Shop offered to pay for them but the details need to be fine tuned.

2.2 Applicant's Presentation

Geoghan Coogan presented the following.

- When the applicant left the last hearing Stop & Shop decided to go to the Town to deal with the town parking lot. The Town of Tisbury has formed a committee to review the parking lot so Stop & Shop is now approaching the project to be entirely on Stop & Shop property.
- Stop & Shop has met with the SSA and most of the concerns are traffic related and those concerns will be addressed with the transportation presentation.
- The Town of Tisbury voted a few years ago to take Cromwell Lane and they are working on that issue.

Erik Hammarlund said he has been asking for a legal definition of grocery store and asked what distinguishes Stop & Shop from a Walmart, so in the event Stop & Shop decides to sell the store it does not become something else with the new owner. Until Stop & Shop comes up with a definition, he will continue to ask this question. **Geoghan Coogan** said the definition is what the Edgartown store is. **Christina Brown** said since the Tisbury store will be the same as the Edgartown store, does that also include the Sun n' Fun annex? **Geoghan Coogan** said Tisbury would be just the grocery and not include the Sun n' Fun annex. He will get the definition for the MVC.

Dave Taglianetti presented the following.

- The current square footage is as follows:
 - Current retail floor approximately 13,570 s.f.
 - Midnight Farm retail floor approximately 5,000 s.f.
 - Total occupied retail space 28,733 s.f.
 - The former Chinese restaurant is 6,000 s.f.
 - The home on Cromwell Lane is 1,800 s.f.
 - Total effective area is 27,000
- The proposed plan is 31,396 s.f. which includes all of the space except the parking garage (retail, back house, loading dock, a portion of the loading area that is covered by the building and exterior bathrooms).
- The proposed layout plan was reviewed.
- Landscaping has been added along Water Street.
- Bathrooms were added with an exterior entrance.
- The proposal has been pushed back from Norton Lane and has eliminated the need for easements and encroachment on the Town lot.
- There will be 42 parking spaces in the garage.
- The width of the sidewalk on Water Street is 13 feet which is more than twice the width of the existing sidewalk and landscaping and benches will be added.
- From a site design standpoint, Stop & Shop still needs to finalize site lighting, stormwater and landscaping, and has deferred the final design on these issues until it is understood what will happen with the municipal lot.
- Stop & Shop has said for stormwater there can be a holding tank or cistern within the building or buried under the truck area but they still need to understand what the Tisbury Board of Selectmen will do with the municipal lot.
- When the trucks sit in the loading dock, the cab will extend beyond the enclosed loading dock. The trucks are 58 feet long. There is sufficient room for the trucks to sit in the loading dock and not impact the pedestrian area or walkway.
- The perspective of the building was shown from the SSA before and after.

Christina Brown asked for clarification of the yellow line on the plan and asked if that is the proposed outline of the building. **Dave Taglianetti** said it is not, it is the existing property owned by Stop & Shop.

Katherine Newman asked about bike racks? **Dave Taglianetti** said they are located within the building.

James Joyce asked if Stop & Shop was proposing any walkway along Cromwell Lane. **Dave Taglianetti** said there is no sidewalk in that location but landscaping is proposed. Stop & Shop is keeping the building within the existing property line and landscaping runs along the existing way. The plan maintains the existing travelled way along Cromwell Lane.

Christina Brown asked to be shown where and how the trucks will come in. **Dave Taglianetti** showed the route and the turning on the plan for the current practice and the proposed. Currently the trucks park alongside the building and for the proposed plan the trucks will back into the loading dock.

Joan Malkin noted that the larger trucks will be off loading differently than the smaller delivery trucks. Can only one large truck fit in the dock? **Dave Taglianetti** said yes and the smaller trucks would fit in front of the trash compactor.

There was a discussion about the truck delivery operation.

- **Tripp Barnes** said it was shown on the plan that the trucks currently drive around the parking lot to park next to the building and said he does not see that now, he sees the trucks backing in from Water Street.
- **Sam Koohy** said for over a year at the direction of the Police Department, the trucks do not back in using the SSA property. The trucks come off the boat and use the inside lane of the parking lot and back up to the dock.
- **John Breckenridge** asked how many spots are blocked off when trucks arrive.
- **Sam Koohy** said three spots as approved by the Police Department and a cone is put there to block the area.
- **Tripp Barnes** asked how the proposed truck turn operates.
- **Sam Koohy** said the truck will go to the third lane and make a pivot into the loading dock.
- **Erik Hammarlund** asked if the dock doors will remain open when the trucks are in.
- **Dave Taglianetti** said when the big truck is in the building, the doors need to be open.
- **Joan Malkin** asked how the trucks will maneuver the blind spot with pedestrians walking up to Main Street.
- **Dave Taglianetti** said whenever trucks are entering or exiting the dock, a Stop & Shop employee will be monitoring the traffic flow.
- **Mark London** noted that since the truck deliveries were in the morning, the truck dock door could be kept closed from noon on, and the space could be used for other temporary activities for customers or visitors.
- **Dave Taglianetti** confirmed that the deliveries would be completed by noon and from noon on, the dock door would be closed.
- **Fred Hancock** asked if Stop & Shop leaves the box there now and unhooks the tractor.
- **Sam Koohy** said they do not.
- **Fred Hancock** asked how this would work in the new situation.
- **Sam Koohy** said the truck will come and go.
- **Fred Hancock** noted that without the tractor it appears the dock door could be closed.
- **Tripp Barnes** noted with summer traffic and parking it will be very difficult to maneuver the trucks in.
- **Geoghan Coogan** said right now the trucks can maneuver and the truck is next to the store and the trucks come and go because there is no storage. With the proposed plan, the deliveries can be scheduled and the store manager can control the lot.

Chuck Sullivan presented an architectural review.

- There have been a few changes since the last proposal. The front of the building has been moved back two feet. The corner of the building has been cut out for the trans.f.ormer.
- The occupied square footage for the lower level is 6,600 s.f..
- There is an opening on Water Street to access the bike racks that are inside the parking area.
- The major change on the upper level is that there are bathrooms accessible from outside.

- There are a few changes to the elevations. The building is not taller on Water Street than the previous plan. The tallest ridge height is 34'-6" above mean grade. The majority of the massing of the building is on Norton Lane where the roof height was lowered by two feet. The ridge line varies and building massing has been broken up by using different materials. The gables are painted clapboard and the sides are natural cedar shingles.
- Before and after views were shown from the Post Office parking lot, a perspective from Beach Street, and views from the Island Home. Transverse building sections and longitudinal building sections were reviewed. Massing models were shown with an overlay of what is there now and what is being proposed.

Erik Hammarlund asked if the mechanicals are still on the roof. **Chuck Sullivan** confirmed they were.

There was a discussion about the bike rack area.

- **Chuck Sullivan** said there was a passageway from Water Street to the garage that also provides access to the bike racks.
- **Joan Malkin** asked how many bike racks will be available.
- **Chuck Sullivan** said there would be eight.
- **Christina Brown** asked how you access the store if you come on a bike.
- **Chuck Sullivan** said along Water Street or with the elevator.

There was a second discussion about the trucks.

- **Tripp Barnes** asked what the width of the truck dock is from the compactor to the outside wall.
- **Chuck Sullivan** said it is about 12'-6" inches and is 11' from the ramp to the large truck.
- **Tripp Barnes** felt that is narrow for the size of the truck.
- **Chuck Sullivan** said he has spoken with Mike Carroll and he said that the space will work; perhaps they can ask him to attend the next meeting to answer questions.
- **Tripp Barnes** said one trailer cannot service the whole store and he would like to make it so the plan works. Product has to come in and out safely. It would not be one trailer per day.
- **Joan Malkin** asked how the small trucks unload if they back in.
- **Chuck Sullivan** said there is a ramp or they can unload from a side door.

Brian Smith asked the height of the Chinese Restaurant. **Chuck Sullivan** did not know the dimension.

John Breckenridge said for comparison it would be helpful to have the height of the Chinese Restaurant and also noted that Leonard Jason had asked for the height of the house on Water Street. In addition he asked that the height and width of the Tropicale Building also be provided for comparison purposes.

Erik Hammarlund said right now the plan has a flat roof with the HVAC and asked how much roof height there is to hide the HVAC? What would the height be without the HVAC on the roof?

Tom Stone said there had been a five-foot parapet, that has now been reduced to three feet.

There was a discussion about the employment.

- **Doug Sederholm** said he would like a better feel for the economic impact of this project. Paul Foley mentioned there would be 50 new positions for Tisbury but how many will be full time, part time, and seasonal?
- **Geoghan Coogan** said the 50 positions will be a mix of full time and part time and he does not have the breakdown right now. There are now 279 seasonal associates and 152 year-round associates.
- **Doug Sederholm** asked for confirmation that full time associates received benefits and part time associates do not.
- **Geoghan Coogan** said that is correct.
- **Doug Sederholm** asked what the threshold is to qualify for healthcare benefits.
- **Sam Koohy** said through Obamacare, it is 30 hours.

Joan Malkin noted that according to ITE standards, the demand would generate the need for 28 to 77 additional parking spaces, and asked for clarification. **Mark London** said that will be addressed with the transportation presentation.

Leonard Jason asked if the Town requires parking. **Dave Taglianetti** said it does not in the B-1 zoning district.

2.3 Testimony from Public Officials

Harold Chapdelaine said the Tisbury Historical Commission applauds the efforts of Chuck Sullivan and Stop & Shop to present a harmonious creation that is aesthetically pleasing, they applaud Stop & Shop for the preservation of the Caleb Prouty home, and they recognize the implications of the site located within the flood zone. However, the Tisbury Historical Commission believes that the building is clearly too big for its proposed location. The Tisbury Historical Commission requests that the MVC deny this proposal based on its disproportionate size to the surrounding buildings and the harbor front. The Historical Commission asks Stop & Shop to present a proposal that is more in tune with the surroundings. They recommend a reduction in size of 35%. They ask the Board of Selectmen and the citizens of Tisbury to not be hasty in the decision. Let's work together to do this right for now and the future.

Henry Stephenson of the Tisbury Planning Board said what is unusual about this building is that it builds all the way out to the property line. It would be helpful if there was more give on how Stop & Shop manages the design and the bulk of the building. This building is very large and is in part due to the parking built into the bulk of the building and being lifted up off the ground. Whatever happens in the parking lot is connected to how traffic flows through this neighborhood. A better handle is needed on how all of the movements are integrated into this project for all activities in the area.

Tristan Israel of the Tisbury Board of Selectmen said the Selectmen felt after listening to the public about the Town parking lot that they wanted to break that away from the project. The lot is the Town parking lot and the Board wants the input from the Town's people on what they want to see happen with the lot. Doing what is right for Tisbury is first. The numbers of full time and part time employees is important in terms of how it relates to parking. There should be designated parking for some of the employees in the garage and that would free up spaces in the town lot.

There will be a Town process on the parking lot and then the Board of Selectmen will get back to the MVC on what they would like to see happen.

There was a discussion about Tisbury handling the Town parking lot:

- **Doug Sederholm** said he is confused on how the MVC can evaluate this application without knowing what the Town lot will be. Stop & Shop has to propose a project based on the current lot but that could hinder approval. What time frame is the Board of Selectmen working in?
- **Tristan Israel** said it will be a quick time frame and the Board of Selectmen hope to make a recommendation in early November 2013 and are aware that there is a need for expediency here.
- **Doug Sederholm** asked if the MVC should leave the public hearing open to hear about the town lot and asked what is Stop & Shop's view; is it still on the table to patrol the lot and ticket, etc.?
- **Jeff Kristal** of the Tisbury Board of Selectmen was surprised that the Historical Commission proposed a denial of the project. That is premature since project is still evolving and the Board of Selectmen is still having dialogue with Stop & Shop with regards to the Town lot. A denial is trying to kill the project rather than negotiating.
- **Erik Hammarlund** asked the Selectmen how much interaction they will be having with the Island as a whole in the design of the Town lot?
- **Tristan Israel** said there were many people in the Town who were concerned about the trucks entering and the flow of the lot. They felt it is a Town lot. Anyone can come to the Tisbury Board of Selectmen meetings. The MVC is a regional body where this will be discussed. The lot is a Tisbury lot and the Town needs to hash out its sensibilities first and then review with the MVC.
- **Ned Orleans** noted that the Towns look out for themselves and the MVC looks out for the Island. He noted that although the MVC received a revised project, this is a continued public hearing and all testimony received until now is part of the public record.
- **Brian Smith** noted that the applicant can present a new plan or the MVC can condition the plan.
- **Linda Sibley** asked if the Board of Selectmen have the ability to approve the Town lot and not go back to Town Meeting.
- **Jeff Kristal** confirmed that is correct.
- **Tristan Israel** said it could be a gray area if it is decided to expend Town money. It is the Board's intent to put the committee together and come up with recommendations.
- **Henry Stephenson** suggested that perhaps a member of the MVC staff attend the Board of Selectmen's committee on a regular basis. The circulation of the lot and the truck access may be resolved quickly but other issues may take longer. The lot is a major civic space. Issues to be concerned about include shading, design, and how the traffic flow connects to Union Street. The review of the lot may require a professional design engineer. The committee will need to decide what can be decided quickly and what needs further review.
- **Geoghan Coogan** repeated that Stop & Shop's current proposal is to leave the municipal lot as it is now. The Town may recommend something else for the lot.

Doug Sederholm asked if Stop & Shop can provide a more definitive response to Tripp Barnes's concerns regarding truck maneuverability. He knows that they suggested that Mike Carroll attend the meeting to address maneuverability, but in terms of number of trucks, Stop & Shop operates many large stores and presumably knows how many trucks it will take to service the store as that is their business. He asked them to give the MVC a definitive range of what the deliveries will be on a year round basis. Tripp Barnes may be right that this is potentially a big safety issue. **Geoghan Coogan** said Stop & Shop can better define the information and include it in the final traffic analysis. Stop & Shop has the engineers and has the reality part of it. Stop & Shop will do its best to do what was said and include the information in the traffic report.

2.4 Public Testimony

Greg O'Brien is a consultant for Stop & Shop. He earlier had given the MVC a petition in support of the project with 1,800 signatures. The petition now has 3,000 signatures. He received a call from John Alley who could not attend but asked that he read and submit his letter for the written record. The letter stated that John Alley is supporting the Stop & Shop proposal. The old building is in need of repair and is too small. The proposal will greatly enhance the area. The MVC should consider the proposal and approve. It will greatly improve the character of the Island and the gateway.

Sam Koohy, the store manager, said he has been in the building for ten years and grocery means just that: grocery. The store has expanded to natural and specialty foods and the plan is putting all of the current buildings into one store to make it easier to shop and to provide for the community. In ten years one truck fills the store and keeps them in business.

Caroline Little said she is confused about the surface of the building and the materials. Is it wood, synthetic, color on cedar shingles, etc.? She is trying to get a visual feeling of what the building will look like. **Chuck Sullivan** said most of the building will be painted white to match the Main Street aesthetic. Shingles will be natural to weather. As many clapboards as possible will be wood and others will be materials to meet fire code.

Patricia Daignault brought to the meeting several interested citizens and current and former employees of Stop & Shop in support of the project. It is important to the community to have the availability of good product and larger aisles especially for the handicap. Their comments were as follows:

- It is important to have a bigger store.
- More room and a larger availability of product are needed.
- A brighter place to work is needed.
- It is a good project.
- The current checkout aisle is congested and a new store will improve that.
- The biggest problem is parking.
- The people that work there are very nice and they assist the shoppers.
- Stop & Shop has given so many people jobs. It helps to establish our children by giving them jobs and helps them deal with people. This is a wonderful project and is needed to have better and fresher food. It will bring new jobs to the Island.
- The project will provide easier access to the store and a bigger variety of product.

Katherine Scott is generally in favor of the expansion, but has problems with the specific proposal and the scale. She does not understand why the tallest portion of the building is at the lowest portion of the site. Why are the trailer bays at the farthest point of access from the SSA and the closest to Main Street creating the largest area of conflict? Why not design the project to match the site?

Tony Peak noted that anyone can sign the petition. The residents of Tisbury have the right to define the design. He asks the MVC to require the applicant to mark the corners of their property. The manager of the Edgartown store told him that it takes two to five trucks per day in the summer to stock the store and six to seven delivery trucks. He asked why the height of the sales floor and the parking garage have to be so high. The massing of the store is a valid point to take into consideration.

Mark London said that the standard way to calculate height limits is to take the four corners of the building and get the average to determine the mean grade; then, the maximum height of the building is a flat line set by zoning, namely 35' above mean grade. This has resulted in a flat-roofed, box-like building that goes up to the maximum permitted height. He asked the Building Inspector if it would be possible to use a different approach, namely section the building have the height of each section follow the slope, and was told that this would be possible.

Sylvia Thomas has been dealing with Stop & Shop in Edgartown. She is a direct abutter. Her house is greatly impacted when the tractor trailers come in. Stop & Shop has two deliveries. The refrigeration truck is at 7:00 a.m. Sometimes there are two to three trucks at the holidays and up to four trucks coming in. The lot between the Heritage and Stop & Shop. She cannot use her back bedroom. Finally the neighbors got a permit and Stop & Shop is limited to when they can come in with deliveries in the morning and they must be out by 6:00 p.m. They can unload the cold stuff within four to five hours. Of the five to six trucks that they take in, the IFP truck is the worse. There are so many storage units in the back the truck can hardly get in. The IFP truck goes right up to the fence and it runs four to five hours. The noise is bad.

Daniel {indecipherable} asked what Stop & Shop would have done if the parking lot was not where it is. What would they have done if that was a residential or an industrial property? Their use is infringing on town property. Throughout New England, Stop & Shop has lost over six stores. Why are they downsizing yet want to build a megastore in Tisbury? Why build such a megastore that has the potential to fail, due to seasonality, when the Island has a megastore in Edgartown.

Hyung Suk Lee wanted to ask the MVC why this meeting was rescheduled over a month. There should be enough time for the public to digest the information so they can participate. The same issues are being commented on over and over again. Shouldn't we move on? The community wants to see something better with regards to the design. It has not been presented how many shoppers are expected during peak and non-peak times. The adequate size for the store needs to be looked at so its meets the needs of the community. He is an architect, designer and planner and this project is a kind of failed public input. He has never seen a meeting not moving like this in my life. Everyone wants to see an improved store. If the store fails, how do you deal with an empty building of this size? Mr. Barnes has been asking the length of the truck and has not received the information for one month and that is disrespectful. Everyone should be involved so the information can be shared.

There was a discussion about Cromwell Lane.

- **Joyce Allen** lives on Cromwell Lane and wants to know what will happen to Cromwell Lane. What will the Town do with it?
- **Geoghan Coogan** said the Town of Tisbury is in the process of taking Cromwell Lane and Stop & Shop would be open to improve Cromwell Lane if there was a decision on it.
- **Brian Smith** said it is a question for the Town, not for Stop & Shop.
- **Tristan Israel** said about fifteen to eighteen years ago there was a Town Article to take Cromwell Lane. The Town has been exploring it. When Stop & Shop proposed a project the Town started to relook at all of the options.

Jaime Hamlin said Stop & Shop as it is now is appalling. But the new building is more appalling. As much as she loves Chuck Sullivan and his designs, this building is too big. It is a giant monolithic store. Why would you want to get off the boat and see this?

Harold Chapdelaine said with due respect to John Alley, would John Alley want this store built between the West Tisbury Town Hall and the Grange; he doesn't think so. To address Jeff Kristal, the Tisbury Historical Commission is an advisory to the Board of Selectmen and the Historical Commission does have influential and authoritative voice within the town. The people want a store but at a drastically reduced scope. Jeff Kristal has said the Town has been in discussion with Stop & Shop but that discussion is not clear. It has been heard over and over that this project is a swapping of space. When you look at the proposal where have the green spaces gone? Let's reallocate the green space, soften the view and pull the store back. We hear continually about the concern over the trucks and yes safety is an issue but everyone is avoiding the main question "it is too damn big". The store is not a Walmart but it is a small big box store that is disproportionate and he asks the MVC not to approve.

Chris Fried said not all subjects have been adequately addressed and answers have not been heard. Why isn't Stop & Shop using solar panels? We hear they are going to use the Stretch Code but that is only 20% better. We have not heard answers that make sense on energy, sustainability and climate change.

Jeff Kristal said the Board of Selectmen has talked with Stop & Shop in Executive Session. The Board cannot talk about what was discussed but can state what was not discussed and the Board did not talk about Cromwell Lane in that session.

Katherine Scott noted that green space is important and for the wildlife as well.

Paul Lazes said the design looks okay, however if you were to put it in West Tisbury it would not see the light of day. People coming to the Vineyard do not want to see a big box store. Stop & Shop needs to go back to the drawing board and come up with a gem. Make it something really special.

Hyung Suk Lee submitted design suggestions for the record.

2.6 Commissioners' Questions

There was a discussion about the number of employees and housing:

- **Linda Sibley** said page ten of the Staff Report states the number of employees and asked for clarification on the number of seasonal employees.

- **Geoghan Coogan** clarified that the seasonal employee number is in addition to the year-round associates.
- **Linda Sibley** said housing is difficult to find on the Island and asked how the part-time associates are going to find housing when some current full-time associates are requiring housing subsidies. The MVC needs to be sure the fifty new jobs are not causing a burden on the public to provide more housing subsidies. Can they address what portion of part-time positions are students and what the salary levels are? The Commission has to answer the question of whether the project is an economic benefit and the relation to affordable housing.
- **Geoghan Coogan** said he understands why the Commission needs this information and will supply it. Stop & Shop is committed to continuing to supply the ten year round housing rentals they already provide, to add housing in relation to the fifty new employees, and to replace the three bedroom house. They understand that housing is something the Commission would condition and intend to comply with that condition.
- **Linda Sibley** asked if Stop & Shop could give the MVC information on employee salaries as that would assist in understanding the need for housing.
- **Geoghan Coogan** said all the full-time and part-time associates are union employees and their salaries may not be public.
- **James Joyce** said it is not for the MVC to know what the salaries are of the employees.
- **Linda Sibley** said that Chapter 831 requires the MVC to look at economic impact of a project as well as the impact on affordable housing, and these are related to employees' salaries.
- **Erik Hammarlund** said that the MVC should not be asking for specific individuals' salaries, but it is reasonable to ask a question such as what percentage of full-time employees are earning less than 80% or 100% of Area Median Income, since that is a commonly used criterion to determine eligibility for affordable housing.
- **Brian Smith** said that Stop & Shop doesn't know whether part-time employees earn other income and he doesn't think the Commission should ask for salaries.
- **Erik Hammarlund** said that he is requesting this information.

Leonard Jason asked if Stop & Shop has looked at any other location or site. **Geoghan Coogan** said they have not. There isn't another site. The MVC Island Plan says a downtown grocery store is vital. Stop & Shop is hearing valuable comments on size and scale.

Katherine Newman said it sounds wrong to ask for individual employee income versus a general assessment of income. Why hasn't solar panels been fully addressed. **Geoghan Coogan** said the proposal does not have solar arrays because the roof plan was just finished and Stop & Shop does not know yet if solar will work.

Erik Hammarlund said the parking spaces in the garage will be the least appealing. Instead of making the parking garage public why not designated it for employees of Stop & Shop and surrounding businesses.

Patricia Daignault said that moving the site would defeat the purpose of the project for the elderly and the handicap. They want a store where they can move around in and have better product availability. To move the location is a wrong decision.

Camille Rose observed that the MVC began this process on April 1, 2013 and is hearing the same questions we began with. She doesn't feel this project was complete enough in its presentation to the Commission and we have wasted a lot of time.

Doug Sederholm noted the MVC does on occasion hold a mid-public hearing LUPC to give Commissioners an opportunity to discuss and give feedback to the applicant such as scale and size. It is a way for the MVC to give the applicant feedback rather than just hearing it from the public. If Stop & Shop has that feedback they might be able to determine what size building they want to put here and what makes economic sense and serves the community and the good of the Island. It is a suggestion independent of the elephant in the room, the traffic situation, which the MVC should meet about.

Brian Smith said he thought the MVC may have an LUPC on traffic and then another public hearing.

Geoghan Coogan said it needs to be known and stated that Stop & Shop knows it will take time to approve this proposal. This is a critical location. It is the gateway to the Island, in Five Corners, and in a flood zone. Stop & Shop appreciates the comments to evolve the design. To say it is a megastore is not correct; it is smaller than Cronig's. The building is bigger because of the parking. If Stop & Shop did nothing and sold the buildings they would be rebuilt. The applicant feels they have made significant improvements to the design.

Brian Smith, Public Hearing Officer continued the public hearing until November 7, 2013, the location to be determined.

James Joyce moved and it was duly seconded to continue the meeting for five minutes. Voice vote. In favor: 15. Opposed: 0. Abstentions: 0. The motion passed.

3. NSTAR POLES EXPANSION (DRI 642) CONTINUED PUBLIC HEARING

Commissioners Present: T. Barnes, J. Breckenridge, C. Brown, M. Fisher, E. Hammarlund, F. Hancock, L. Jason, J. Joyce, J. Malkin, K. Newman, N. Orleans, C. Rose, D. Sederholm, L. Sibley, B. Smith.

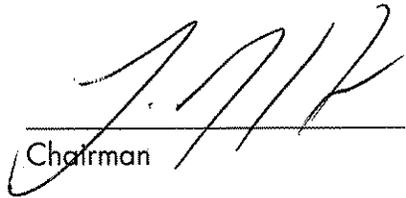
Fred Hancock, Public Hearing Officer opened the public hearing at 10:02 p.m. without taking oral testimony and closed the written record.

The meeting was adjourned at 10:05 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

- Martha's Vineyard Commission Minutes of the Commission – Draft Held on September 12, 2013
- Martha's Vineyard Commission Minutes of the Commission – Draft Held on September 19, 2013
- Martha's Vineyard Commission DRI # 89-M3 Stop & Shop Expansion, MVC Staff Report – October 3, 2013

- Stop & Shop New Correspondence Packet consisting of four letters and one article
- Email from Janice Sparks to Mark London, Dated October 3, 2013, Subject: Support for Stop & Shop Proposal
- Memorandum Dated October 2, 2013 to Mark London from Keri Pyke, Subject: Stop & Shop Expansion, Tisbury, MA, Review of Traffic Peer Review Response #3
- Memorandum Dated September 24, 2013 to Martha's Vineyard Commission from Randall C. Hart, Subject: Stop & Shop Expansion, Tisbury, MA, Response to HSH Peer Review Response #2 Traffic Impact and Access Study


Chairman

10-24-13
Date


Clerk-Treasurer

10-24-2013
Date