Minutes of the Commission Meeting
Held on November 7, 2013
At the Tisbury Senior Center
34 Pine Street, Vineyard Haven, MA

IN ATTENDANCE

Commissioners:  (P= Present; A= Appointed; E= Elected)
P  Trip Barnes (E-Tisbury)    -   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)            -   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-County)              P  Brian Smith (A-West Tisbury)
P  James Joyce (A-Edgartown)

Staff:  Mark London (Executive Director), Bill Veno (Senior Planner)

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

1. MINUTES


Brian Smith moved and it was duly seconded to approve the minutes of October 17, 2013 as written. Voice vote. In favor: 11. Opposed: 0. Abstentions: 3. The motion passed.

2. NEW BUSINESS


2.1 Reports from Committees and/or Staff

Christina Brown said the Planning Economic Development (PED) Committee will meet on November 14, 2013 at 5:30 p.m. The committee will be discussing a number of possible planning issues that could be taken up by PED, such as rural roads and composting.
Fred Hancock reminded the Commissioners that the next LUPC meeting will be on Tuesday November 12, 2013 due to the holiday. Stop & Shop traffic issues will be discussed.

Erik Hammarlund said the next Compliance Committee meeting will be in December and asked that any agenda items be submitted.

Brian Smith said the Finance Committee meeting for the fiscal year 2015 budget will be in two weeks.

3. STOP & SHOP EXPANSION DRI 89-M3


For the Applicant: Dave Taglianetti (Stop & Shop), Deborah Farr (Stop & Shop), Chuck Sullivan (Architect), Geoghan Coogan (Attorney), Bill O’Brien (Agent Viceroy Development Associates)

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 and 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 staff report from Mark London, a presentation by the applicant on the revised plans for the building and then the hearing will be open to new testimony that has not been previously presented from public officials and the public. Testimony will be kept to five minutes per presenter.

Josh Goldstein recused himself from the meeting.

3.1 Staff Report

Mark London presented the following:

- Tonight, the hearing will be focusing on the building massing, design, and fitting in with the Vineyard Haven character.
- The MVC received new building plans two weeks ago.
- There are two separate, though related issues: the size of the grocery store compared to other grocery stores and the massing of the building compared to other buildings.
- He showed slides and summarized the predominant characteristics of Vineyard Haven style architecture as identified in a study the MVC did a few years ago. These characteristics include: simple two-and-a-half story buildings, gabled roofs, and vertically oriented windows. In the sub-area of the proposed projects, exterior materials are cedar shingles and white trim. On Main Street, the characteristics are similar except that the exterior materials are generally white siding.
- The main change to the Stop & Shop proposal is that the upper level of the store facing Water Street was moved back about 15 feet. This results in a reduction in the sales floor of 247 s.f. and a reduction of the total building area of approximately 1,350 s.f.
- The proposed total enclosed floor area of the store is 30,447 s.f. This compares to 19,014 s.f. for the existing Stop & Shop store including the grocery store itself, a non-food store in the basement, and a health food and outdoor store in the former Midnight Farm. The total existing floor area is 27,202 sf. Including the former restaurant and house.
The total 30,447 proposed enclosed floor area for the grocery store is made up of a sales floor 16,446 sf on the upper level as well as 14,001 sf back of the house support space such as food storage, leading dock, parcel pick up and other activities on both floors.

This compares to other grocery stores with the following sizes: Edgartown Stop & Shop – 24,344 s.f.; Cronig’s Down-Island – 24,456 s.f.; Cronig’s Up-Island – 7,360 s.f.; the approved plans for the Tisbury Farm Market – 7,880 s.f.; and Reliable – 5,795 s.f.

Although the total proposed gross floor area including the lower-level parking is 48,964 s.f., the above-ground bulk of the proposed building is approximately 40,000 s.f. in that part of the lower level is underground. This compares to 221,766 s.f. for the Hospital, 52,851 s.f. for the Mansion House and 52,032 s.f.

James Joyce asked if the Sun & Fun was included in the Edgartown store square footage. Mark London said it was not included.

Eric Hammarlund asked if Healthy Additions was included in the Cronigs square footage. Mark London said it was not.

Leonard Jason asked if the MVC has the volume of the buildings noting that there would be a better feeling of the mass when you compare the volumes of the buildings. Mark London said he would be able to obtain that.

### 3.2 Applicant’s Presentation

Geoghan Coogan presented the following.

- When they left the hearing last time, Doug Sederholm’s comments rang true to Stop & Shop, namely that we needed to come back with the smallest project that Stop & Shop can deliver.
- Compared to the first proposal, the sales floor is now 16,000 s.f., down from 20,000 s.f., and the overall size of the building is 15% smaller. Having the building any smaller than what is being presented tonight doesn’t make any sense to Stop & Shop.
- Stop & Shop listened and broke up the building to look like separate buildings. This plan is the general scope of what the building will be. The architectural details are still being fine tuned.
- The sidewalk in front of the building is 13 feet in depth.
- What Stop & Shop is proposing is only about 3,000 s.f. more floor space than what is on the site now and
- What is on the site now is not very attractive and this proposal is.
- Stop & Shop believes this is the minimal product that they can deliver to the Island.
- The proposed layout plan was reviewed.

Chuck Sullivan presented an architectural review.

- What is being shown as a massing model not the architectural details. Stop & Shop is open to working with a group of architects from the Historical Commission, Planning Board, and MVC on the architectural details.
- The main gable on Water Street was pushed back 15 feet. This created a reduction in the sale floor. Not including the loading dock and the ramp, the total second floor is now 21,600 s.f.
- The lower level with a one story height still comes out on the Water Street level.
• Some of the support space that was on the front upper level was moved to the ground floor.
• Only one parking space was lost with the changes.
• The ramp, the main entry and the loading dock are still off Norton Lane.
• The upper floor on Water Street now has an outdoor seating area.
• Stop & Shop did not want to spend money to fine tune the details if the massing model was not acceptable.
• Several visualizations comparing the existing conditions and the proposed building were shown, including from Five Corners and the SSA terminal.
• Exterior elevations and a massing model were shown.
• The massing of the building would not be reduced a lot by eliminating the parking garage. The height could be reduced by about four feet lower, since the upper floor has to be above elevation 11 to meet the flood plain requirements.

3.3 Commissioners’ Questions

Doug Sederholm asked whether it is possible to lower the parking level, given the flood plain issues and assuming the groundwater could be dealt with, and if so, how many parking spaces be lost. Chuck Sullivan said you would run into groundwater issues. Dave Taglianetti said the lowest point of the garage floor is now elevation 5; it could theoretically be done but it would be very costly dealing with the groundwater. Doug Sederholm recognized that it would be a big problem to do it.

John Breckenridge had a question regarding the elevation. The harbor is elevation 7. Based on the draft FEMA maps, the flood plain and is moving to elevation 10, per previous information from Dave Taglianetti What is the lowest elevation of the building being proposed? Dave Taglianetti said the elevations of the lower floor range from 5 near Water Street to 8.5 towards to the back of the building.

John Breckenridge said that right now Stop & Shop is in the Shore Zone and it is moving to the Velocity Zone. The new FEMA maps move part of the building to the Velocity Zone. It is a complicated issue with the new FEMA maps and he asked whether construction is allowed in a Velocity Zone. Chuck Sullivan said that Oak Bluffs adopted a bylaw prohibiting construction in a Velocity Zone, but Tisbury did not.

John Breckenridge said essentially Stop & Shop is proposing to get this project approved under the flood plain regulations with the old elevations. Dave Taglianetti confirmed.

James Joyce asked if proposed second floor terrace would have food service. Chuck Sullivan clarified there will be tables and chairs but no service.

Ned Orleans noted that in Geoghan Coogan’s opening statement, it suggested that this was the best proposal that Stop & Shop can do, plus or minus a few doodads, and asked if Stop & Shop has produced anything that projects Vineyard Haven values. Geoghan Coogan said that the applicant has heard concerns during the hearings about the massing and the size of the building. The building is now 15% smaller. The building was in the municipal parking lot and now it is not. The applicant was asked to come back with what Stop & Shop can do and have proposed that plan tonight. With regards to the height of the building, the lower end of the Police Station is 34.7 feet and is much higher than the proposed Stop & Shop building.
Chuck Sullivan noted there were concerns about the aesthetics, energy, environmental issues, and other issues. Without a basic plan Stop & Shop, cannot deal with the other issues.

Katherine Newman noted that the applicant is talking about going up several feet to accommodate parking and asked if that will put the applicant in compliance with the new flood regulations. Chuck Sullivan said it would and noted the mechanicals have to be above the flood plain. The building could be lowered four feet by eliminating the parking.

Erik Hammarlund said he personally thought the new plan was a vast improvement. With regards to massing, the tweaks the MVC would look for could affect massing. What he is hearing is that this would be acceptable but that the sales floor and the back of the house square footage is the minimum Stop & Shop can propose. Deborah Farr confirmed.

Erik Hammarlund asked how much flexibility is there in the architectural design. Can the building be made to look more like separate buildings, as long at the sales floor? Chuck Sullivan said there are many things that can be done. He had a productive meeting a few months ago with Harold Chapdelaine of the Historical Commission and looks forward to similar discussions. If the MVC agrees this general massing is correct the applicant is open to more discussion on the details.

John Breckenridge agreed that the applicant has come a long way in addressing the massing. He noted that the MVC faced a similar situation about architectural design with the Hospital, and put together a group of local architects to discuss the issue. Would that be agreeable to have a similar type of committee to work as an informal discussion? Chuck Sullivan said he would be able to accommodate that as long as Stop & Shop agrees. Mark London said it could be an ongoing committee, but perhaps a single brainstorming session might be enough.

Katherine Newman said she agrees this design is better, but said that if the truck dock has to be moved, it would change the store design, and transportation is being discussed next time. Chuck Sullivan noted that the engineer said the truck turning will work as proposed. Mark London said that it was understood that if the truck dock is moved after the transportation discussion, this would affect the architectural design.

There was a discussion about the design review and approval.

- Leonard Jason said that it is hard to react to this as a take-it-or-leave-it plan when the MVC finished discussing the impact on the SSA, traffic, employment while the store is being built.
- Ned Orleans said we should not give the impression the Commission that other than a few architectural details, the Commission is okay to make a decision.
- Erik Hammarlund, Doug Sederholm and Brian Smith said no, all of those issues have to be reviewed. The MVC hasn’t gotten to the hard part yet.
- Fred Hancock said now that the building has shrunk in size, Stop & Shop and the MVC can now reasonably address the other issues.
- Trip Barnes said it is bothering him how many meetings there will be and the truck turning has not been addressed yet.
- Brian Smith said tonight’s meeting is about the building and the next hearing is about the traffic.
• **Erik Hammarlund** suggested that it would be useful that the MVC give some non-committing, non-binding reaction from Commissioners about the building massing.

• **Brian Smith** said that would come under Deliberation and Decision and the Commission is not there yet.

• **Ned Orleans** noted that when the MVC was dealing with the Hospital, the architects came back to the MVC with a recommendation that the project is a hospital and let it look like a hospital. Stop & Shop could come back to the MVC with this is a supermarket and let it look like one.

• **Linda Sibley** said Stop & Shop answered the architectural issue. They are open to the aesthetics but told the MVC this is essentially what the plan will be. The Commission now needs to move onto the next issue, traffic. Once everything is reviewed then the MVC can provide a decision.

### 3.4 Testimony from Public Officials

**Dan Seidman** of the Tisbury Planning Board said this project is a grocery store and if you look around the country you won’t find one designed like this. When you look at this design versus the first design there are a lot of changes such as separate entrances and easier accessibility of the bathrooms. To expect a grocery store to look like something other than a grocery store is not necessarily feasible. Stop & Shop has done a lot to the design and they should at least be commended for that effort.

**Henry Stephenson** of the Tisbury Planning Board asked if this is a proper model for a store that is meant to fit in a small historic New England village. Is this truly the smallest the store can be? It would be helpful to have a committee of architects, professionals, and planners to review the building design and how it works. Since Stop & Shop cannot start construction until next Fall, this gives time to look at these issues properly. It seems reasonable to continue this hearing until a date in early January 2014 after the holidays.

**Judy Federowicz** of the Tisbury Historical Commission said Harold Chapdelaine could not be at the hearing tonight but submitted a letter for the written record and she read the letter. The Historical Commission proposes the setback on Water Street should be 35 feet to offer more space and soften the look of the store. A greater setback is also proposed for Norton Lane. The mass of this building is still too large. None of us feel the existing building is aesthetically pleasing but do we need something that looks like a field house.

**Tony Peak** asked the architect to review the floor space of the parking garage to the overhead of the first floor as well as the sales floor overhead to the sales floor ceiling. **Chuck Sullivan** said the ceiling height in a parking garage typically 8’-6” and of the sales floor is typically 12’.

**Tony Peak** asked whether the setback requirements on the side and back had been met. **Geoghan Coogan** said the setback requirements have been met per Ken Barwick, the Building Inspector.

### 3.5 Public Testimony

**Erika Berg** is new to the Vineyard. When looking at the existing building, it is hard to believe that is what is wanted to be the gateway to the Vineyard. She doesn’t understand what the argument is. The proposed building looks gorgeous. Stop & Shop is not a new business, it is an
existing business which will provide jobs and better availability of product. The new store is a change but it is all positive. Stop & Shop is paying for the revitalization and the Town will receive a larger tax base from Stop & Shop. Everyone cares about the historical issues and of course Stop & Shop will keep that as part of the plan. She doesn’t understand why Stop & Shop is being given such a hard time for doing something better for the community Island wide. Everything Stop & Shop is offering should be taken with open arms. If you have disabilities, you cannot shop in the current building. She came tonight to give support to this project.

**Dusty Burke** agrees with Erika Berg. The design is fabulous. With regards to the massing of the building, grocery stores in Massachusetts are around 65,000 s.f. and this plan is about a third of that. Stop & Shop has responded to everyone’s suggestions. She was listening to a program which pointed out that suburban sprawl is becoming a disaster because the population is leaving the towns without a central integrated community. An integral part of a community is a grocery store.

**Dawn Taylor** said Chuck Sullivan is capable of providing a beautiful building but the issue here is the scale. The Historical Commission responded beautifully to that issue. She is surprised there are not more small businesses here to speak to the issue of scale. The Island does not have franchises here and that is part of our appeal. A store of this scale has to have sales and Stop & Shop will sell everything to make their numbers. She can’t help to think to herself the impression of our Island when she sees the beautiful building the Historical Museum will be with the sweeping vistas and then she sees the bulky building of the Hospital. The scale of the Hospital is not consistent with what the Island wants to see. She is afraid another scenario like what she just described may be created with this proposed plan. Stop & Shop has the right to develop their property but it is the community’s job to protect our aesthetics.

**Robert Douglas** said there is no accounting for taste. There is considerable balance with the three elevations shown except for the one on the east. Balance is an important part of design. She thinks a better job could be done on the eastern façade. The major impact could be improved.

**Susan Goldstein** is the owner of the Mansion House. Everyone has a different wish list of what Vineyard Haven should look like. She thinks Stop & Shop has done a very good job of answering all of these disparate comments that have been heard. Sure she would like the building to be smaller, but she doesn’t have the numbers to know if it is financially feasible to make it smaller or when Stop & Shop will walk away from the project. She hopes Stop & Shop does not walk away. She hopes we don’t talk another two to three years of what a storybook town this could be.

**Bill Straw** said being on the Tisbury Energy Commission he looks forward to seeing solar panels added to the plan. He is also concerned about the elevations and the flood plain issues. He heard that the Edgartown and Vineyard Haven Stop & Shop stores are two of the highest grossing grocery stores in the state. **Brian Smith** noted it is not known if that is true about the volume of the stores.

**Jean Hay** heard there is a new law coming in April that will affect how things can be built and would like more information about that. His main concern is the traffic issue and that determines the size the building can be. He would appreciate it if Stop & Shop would come back with respect to traffic and consider the size with regards to the entryway to the Island.
David Nathans is the Director of the Martha’s Vineyard Museum and disagrees with Harold Chapdelaine. He thinks Stop & Shop did a terrific job trying to make the building appear to fit within the character. With regards to the massing, Stop & Shop needs to decide what the building can be. He likes the idea that it is within walking distance for those living within Vineyard Haven. There are issues with parking and traffic but with regards to massing Stop & Shop has done a wonderful job.

????? [older gentleman in the front row] asked what happens if Stop & Shop just walks away, what will that mean and what type of items will the store sell. Geoghan Coogan said the applicant can’t answer that specifically. There is a minimum size store that will make it work for Stop & Shop. What happens with the existing store is unknown, it could be sold or even stay the same. It is a grocery store. There will be no café, no pharmacy. The proposed plan is allowing space for product placement and extra aisle space.

Jim Sullivan is an Assistant Manager for Stop & Shop. One thing he found with Stop & Shop is they are always working closely with the community. The reality to make this project feasible is the proposed design is the size that is needed. Stop & Shop is a corporate contributor to the community. It is a company of integrity and he speaks from the heart when he says that.

Hyang Suk Lee said whether we agree or disagree, this new plan is a small improvement that has not been seen over the past four months. This plan is an improvement over the past designs. He has submitted a PowerPoint to the MVC and suggests everyone view it. Chuck Sullivan twice addressed a massing model but it was a front elevation change and has not addressed the changes on each side of the building. The design probably has to be looked at in a different light. Stop & Shop has kept the truck loading zone close to the comfort station. Why can’t it be changed to the east side and that question has not yet been answered. The trend of the marketplace is to go to a supermarket that is 60,000 s.f. and that is not what will work for this project so why is that being suggested.

Katherine Scott asked why the trailer bays are where they are. The Ahold company owns Stop & Shop and their strategy is for a store that is 40,000 s.f. but they have other strategies for other countries so why can’t Stop & Shop revise the plan and not conform to the 40,000 s.f. strategy. This project is a DRI so how can that be separated from the traffic and parking issues? Attention needs to be paid to the details. It is Norton Lane not Norton Avenue. Norton Lane is of historical concern and the Bunch of Grapes store use to be stables. It is a desecration to that neighborhood to have the traffic bays in the proposed location. She questions the truck movement. It is not acceptable to say the engineer says it will work. Why not stage a simulation at the High School and see if it will work. Aesthetically, it makes no sense to have the trailer bays in the proposed location. That area could be developed into a lovely pedestrian area. She submitted the Ahold design strategies for the public record.

Sam Koohy, Manager of the Vineyard Haven Stop & Shop store, said he is speaking for the applicant. What Stop & Shop is trying to do is build a building that is appealing coming from the boat. He has heard about how intrusive the truck trailers are but right now they are outside and that will go away as they will be in the trailer bays. Stop & Shop is adding more floor space to the building to make it easier to shop. Stop & Shop is opening up the floor space, adding parking, and is not trying to put Man Street out of business. Stop & Shop does a lot for the community.
Jeff Kristal, Tisbury Selectman, said he likes the design of the Hospital. There are already many corporate chain stores on the Island such as Radio Shack, Dairy Queen, UPS, FedEx, and Santander Bank. Stop & Shop is very community oriented. Leonard Jason brought up a lot of good issues. The Town of Tisbury has been through things like this before. The town has been disrupted before and we will work through that. The Tisbury Board of Selectmen is having a special Town Meeting on December 10, 2013 so he hopes the MVC keeps the same hearing schedule. This plan is gorgeous and an investment into our community and he hopes Stop & Shop builds the store.

Daniel Hodgson [?] sits on the Historical Commission. No one is saying the project should not be done or it is not beautiful. The issue is the mass of the building. The Ahold company deals with villages of 17,000 people and builds stores accordingly. Is Stop & Shop building a store for the summer population of 80,000 or the year-round population of 17,000. If you look at the comfort station location, why is it the trucks cannot be brought down to the east side. When you look at the sidewalk, currently it looks like a 10 foot wide sidewalk and is Stop & Shop really pushing it back to 13-15 feet. Who is Stop & Shop trying to serve with a 30,000 sf building?

3.6 Applicant’s Closing Statement

Geoghan Coogan said some of the comments almost make him feel like Stop & Shop hasn’t discussed them and that is not true. Stop & Shop has talked about the parking and the truck dock and showed how it will work. Grocery stores in America are a different approach than those in Europe. The applicant is presenting what will work here and you will not find another grocery store that looks like the proposed plan. The project creates a gateway to the Vineyard. He is not just the attorney for Stop & Shop, he is also a native of the Island.

3.7 Commissioner’s Questions - continued

Erik Hammarlund suggested that to help people visualize the proposed massing, Stop & Shop put up poles to show what the shape and roofline would be. Geoghan Coogan said that is something the applicant can look at.

There was a discussion about the size of the sales floor:

- Doug Sederholm said he is trying to understand if the sales floor of the proposed plan would be bigger than the Edgartown store and asked how big the Edgartown Stop & Shop sales floor is.
- Geoghan Coogan said he will obtain that information.
- Deborah Farr said the proposed plan is not bigger than the Edgartown store but she is not sure if it is the same size or smaller.
- Mark London noted that the Stop & Shop Vineyard Haven sales floor currently operates in three spaces.
- Deborah Farr said the main store in Vineyard Haven is about 9,000 s.f., health and beauty is about 4,000 s.f. and the natural foods is about 6,000 s.f.

Mark London had several comments.

- All of the materials including those provided by the applicant, staff, and public are on the MVC website. The easiest way to find them is to click on the calendar section under today’s date or the date of the next hearing.
• On November 21, the continued public hearing will be on Stop & Shop traffic and transportation. There will be an LUPC meeting on November 12, dealing with Stop & Shop transportation. It is primarily for Commissioners and the applicant, but it is open to the public. Everything presented at the LUPC meeting will also be presented at the public hearing.

• It is his understanding that the purpose of the architectural session will be to help Stop & Shop refine their proposal, not to propose substantially different concepts. Whether the Stop & Shop proposal is approved or not is up to the Commissioners.

Leonard Jason noted that the Tisbury Planning Board suggested delaying the public hearing until after the Holidays and why not. Why listen to traffic and transportation and other issues.

Brian Smith, Public Hearing Officer continued the public hearing until November 21, 2013.

Linda Sibley, Katherine Newman, and Ned Orleans excused themselves from the meeting.

4. TISBURY WHARF DREDGING (DRI-639) – WRITTEN DECISION


Christina Brown moved and it was duly seconded to approve the written decision as amended.

• Correct typos on lines 66, 67, 86 and 240.
• Specify the year 2013 and January 2014 on lines 97-98.
• Correct line 2011 to May 5, 2011.
• Section 6.3 should have the correct MVC boiler plate.
• Section 6.2 should be the Tisbury Town Clerk


The meeting was adjourned at 9:20 p.m.

DOCUMENTS REFERRED TO DURING THE MEETING

• Martha’s Vineyard Commission Minutes of the Commission – Draft Held on October 17, 2013
• Martha’s Vineyard Commission DRI # 89-M3 Stop & Shop Expansion, MVC Staff Report – November 5, 2013
• Letter to the Martha’s Vineyard Commission from Stop & Shop Dated November 1, 2013 RE: Response to October 15, 2013 Outstanding Questions
• Correspondence to the Martha’s Vineyard Commission Regarding Stop & Shop from Barbara Baskin, Cynthia Aguilar, Gilbert Jacobs, Henry Stephenson, Harold W. Chapdelaine Chairman Tisbury Historical Commission, Geraldine Brooks, and Town of Tisbury Planning Board